

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

MICHELE L. RAFFERTY,)
et al.,)
) Plaintiffs,) Case No.
) -vs-) 4:16CV00430
TRUMBULL COUNTY, OHIO,) Judge Benita
et al.,) Pearson
) Defendants.)

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Deposition of MICHELE L. RAFFERTY, a
Plaintiff herein, being called by the
Defendants as if upon cross-examination
under the statute, and taken before Angelika
P. Shane, a Notary Public within and for the
State of Ohio, pursuant to agreement of
counsel, on Thursday, the 23rd day of
February, 2017, at 10:00 a.m., at the
offices of Mazanec, Raskin & Ryder Co., LPA,
34305 Solon Road, Solon, Ohio.

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14
15
16 ALSO PRESENT: Katie Sherman

17 Robin Wilson

18
19 - - -

1 P-R-O-C-E-E-D-I-N-G-S

2 - - -

3 MICHELE L. RAFFERTY, of lawful
4 age, a Plaintiff herein, having been first
5 duly sworn, as hereinafter certified,
6 deposes and says as follows:

7 - - -

8 CROSS-EXAMINATION OF MICHELE L. RAFFERTY

9 BY MR. RASKIN:

10 Q Okay. Would you please state your
11 full name for the record?

12 A Sure. Michele Lee Rafferty.

13 Q How would you like me to refer to you:
14 Miss Rafferty, Michele? You tell me.

15 A Oh, Michele is fine. Thank you.

16 Q You're welcome. So, Michele, my name
17 is Todd Raskin and we met just a few moments
18 ago, and I represent all of the Trumbull
19 County defendants other than former
20 Corrections Officer Drennen.

21 A Okay.

22 Q I'm going to be asking you some
23 questions today concerning the claims you
24 make and your background, and what have
25 you. Have you ever given a deposition

1 before?

2 A No, sir, I haven't.

3 Q Okay. You have very able counsel and
4 I'm sure that they've told you what to
5 expect. However, my wife tells me I'm
6 sometimes unpredictable, so with that in
7 mind, even though I may be repetitive
8 --

9 MR. RASKIN: And, Ms.
10 Sherman, this will keep me from
11 having to go over this with you.

12 BY MR. RASKIN:

13 Q There are a couple of things I'd like
14 to remind you of. The first is this is a
15 formal proceeding and it's a question and
16 answer session.

17 A Mm-hmm.

18 Q And because it's a question and answer
19 session, it's very important we not talk
20 over one another because Angie here can't
21 write down what we're both saying
22 simultaneously, okay?

23 A Certainly.

24 Q It's also important that you respond
25 with verbal answers because Angie isn't

1 allowed to interpret what you mean if you
2 say uh-huh or huh-uh or shake your head or
3 nod your head like you're doing now. I
4 always get witnesses to do that.

5 So if you forget, I may say to you, "Do
6 you mean yes by that or do you mean no by
7 that?" It's not to be insulting. It's so
8 Angie gets down in the transcript what you
9 are really answering as opposed to what she
10 might perceive you to be answering, okay?

11 A Okay.

12 Q If you need to take a break, because
13 this may take several hours, you're welcome
14 to take a break at any time. And contrary
15 to what other lawyers say, you can ask to
16 speak with your attorneys at any time, even
17 if I've asked you a question and you haven't
18 answered it, I don't care.

19 Just tell me, "I'd like to consult with
20 my lawyers" and we'll give you a conference
21 room where you can go and speak with them if
22 you wish. Do you understand?

23 A Okay. Terrific.

24 Q Now, if there's any other reason that
25 you need to take a break, you need to use

1 the restroom, go out and stretch your legs,
2 whatever the case may be, you just tell us
3 and we'll take a break and accommodate you.
4 Do you understand?

5 A Okay.

6 Q Is there anything that creates a time
7 problem for you today?

8 A No, not at all.

9 Q Okay. Good. Then let's start with
10 some -- and do you understand everything
11 we've gone over?

12 A Absolutely.

13 Q Okay. Fair enough. You've given me
14 your full name for the record. Tell me
15 where you live.

16 A I live at 3099 Goleta, that's
17 G-O-L-E-T-A, Avenue, and that's Youngstown,
18 Ohio, 44505.

19 Q How long have you lived there?

20 A I have lived there right now just for a
21 few months, but I have previously lived
22 there a number of years.

23 Q Who else lives there with you?

24 A My mother and father, my daughter
25 Brooklyn and my brother Christopher.

1 Q How old is Brooklyn?

2 A She is five.

3 Q And you say you've lived there just for
4 a few months. Help me to understand what
5 that means.

6 A I came home in January, so I've been
7 back home for two months. Prior to that,
8 I've lived there for a number of years.
9 It's the home I grew up in.

10 Q Where did you come home from?

11 A From Marysville.

12 Q How long were you in Marysville?

13 A I was gone a total of seven -- just
14 over seven months.

15 Q So when you say, "gone a total of just
16 over seven months," does that mean you were
17 in Marysville for seven months?

18 A Yes.

19 Q And why were you in Marysville?

20 A I was there on account of a previous
21 conviction for a breaking and entering
22 charge.

23 Q When you say a previous conviction of
24 breaking and entering, can you help me to
25 understand why the -- strike that.

1 Did the breaking and entering
2 conviction cause you to be sentenced to
3 Marysville?

4 A Yes, it did.

5 Q And when were you convicted of breaking
6 and entering?

7 A I was convicted in June.

8 Q Of what year?

9 A June of 2016.

10 Q And what court convicted you?

11 A Trumbull County Common Pleas.

12 Q And how long were you sentenced to
13 serve?

14 A Six months and I had the additional one
15 month on account of something out of Warren
16 Municipal Court.

17 Q What is the something out of Warren
18 Municipal Court?

19 A It was a probation violation out of
20 their court.

21 Q And was the probation violation the
22 breaking and entering?

23 A Yes.

24 Q So when were you actually released?

25 A I was released January 1st of 2017.

1 Q Are you on probation?

2 A No, I'm not.

3 Q Who was your probation officer when you
4 were on probation?

5 A Robin is her first name. I don't know
6 her last name, but that was out of Warren
7 Municipal Court.

8 Q Have you ever been -- strike that.

9 Apart from the breaking and entering
10 conviction in June of 2016, have you any
11 other convictions for crimes of dishonesty
12 within the last 10 years?

13 A Yes, I do. I have had, I want to say,
14 four retail theft misdemeanor charges that
15 stem out of Girard court and Boardman
16 court.

17 Q And forgive me for being ignorant about
18 this, but does both Girard and Boardman have
19 municipal courts?

20 A Yes, they do.

21 Q And when did those theft offenses
22 occur?

23 A The earliest one was in 2006 and the
24 most recent one was in 2016.

25 Q So I'm assuming this -- well, strike

1 that.

2 When in 2016 did you commit the theft
3 offense?

4 A That was in April.

5 Q And which court?

6 A That would be Boardman court, Mahoning
7 County Court Number 2.

8 Q So when you said Boardman Municipal,
9 what you really mean is county court?

10 A The sign for the building is
11 technically Mahoning County Court Number 2.
12 They have a few courts in the county.

13 Q Okay. I got it. And Mahoning County
14 Court Number 2 is located in Boardman?

15 A Is located in Boardman, exactly.

16 Q Thank you. And is that where your
17 probation officer, Robin, was located?

18 A No. Robin is located in Warren
19 Municipal Court.

20 Q Were you sentenced to serve any time as
21 a consequence of these misdemeanor offenses?

22 A No.

23 Q Any other crimes of dishonesty within
24 the last 10 years?

25 A No.

1 Q On how many occasions have you been
2 incarcerated in the Trumbull County
3 detention facility?

4 A Three.

5 Q Tell me when, please.

6 A Sure. My first stay there was in 2000
7 and -- I believe it was 2009.

8 Q Why were you there?

9 A I was there stemming from the theft
10 charge out of Girard court and I was there
11 for six months.

12 Q And is the Girard court also a Mahoning
13 County court?

14 A No. The name of their court is Girard
15 Municipal Court.

16 Q And do you know during what six-month
17 time frame you were actually in jail?

18 A No, I don't recall which month I was
19 released from there. I can --

20 Q That's all right. I should have said
21 this before. It isn't a memory test.

22 A Mm-hmm.

23 Q So all I ask that you do is answer my
24 questions honestly and if your honest answer
25 is "I don't know" or "I don't remember,"

1 that's okay, too.

2 A Okay. Terrific.

3 Q Just tell me, but don't guess because
4 none of us want you to guess.

5 A Okay. Good.

6 Q All right. So in any event, sometime
7 in 2009 you served six months in the
8 Trumbull County Jail; is that right?

9 A Yes.

10 Q Okay. Did you have any -- did you see
11 or have any exposure to Mr. Drennen at all
12 during that time?

13 A Yes, I did.

14 Q I see.

15 A Yes, because that was my first day.
16 During that time, I did.

17 He was on midnight turns at that time.
18 I was located in B Pod on the women's
19 floor.

20 He was working midnight turn at that
21 time and the only experience I can say I had
22 with him then was that most COs when they
23 come through to do their rounds, their job
24 in the evenings when they check our cells is
25 to stop by quickly, take a look inside of

1 our cells, make sure that we don't have any
2 contraband items, make sure there's nothing
3 on our walls, make sure we're not doing
4 anything we're not supposed to.

5 So most COs would casually walk by,
6 glance around the room and move on, whereas
7 Mr. Drennen, when he would do his rounds, it
8 used to make me feel uncomfortable.

9 There's a long window on the front of
10 the door, and rather than standing beside
11 the door, glancing around and moving on, he
12 would square up to the window and as opposed
13 to looking around the cell like most COs
14 did, he would just glare directly at you.

15 And this is the time in the evening
16 when most girls are out of uniform, you're
17 in your white sleep shorts, a white shirt,
18 and so it would be uncomfortable.

19 So when he would be on rounds and I
20 would see, I would always, you know, throw
21 my uniform on and wait till rounds were over
22 before I would get down into my regular
23 white outfits.

24 But as far as any actual contact, like
25 engaging in conversation with him or seeing

1 him engaging in any type of conversation
2 with any other girls, I did not see any of
3 that.

4 In that particular pod in the evening
5 time, we're all locked down in our cells.
6 It wasn't the conditions that I was in
7 during the time in question where it was an
8 open air dorm.

9 So really with your door locked and you
10 have no conversation from cell to cell with
11 other inmates, I didn't witness anything at
12 that particular time.

13 Q Did you report your discomfort to
14 anyone in jail administration?

15 A No, I did not.

16 Q Now, there's a system in the Trumbull
17 County Jail for communicating with jail
18 administration, isn't there?

19 A Yes.

20 Q It's called a kite system, isn't it?

21 A Yes, it is.

22 Q And tell me what a kite is, please.

23 A A kite is a formal way to let
24 supervisors know of any type of issue you
25 might be having, if you need to be moved, if

1 another inmate is giving you an issue, if
2 you have a problem with a correction
3 officer.

4 Q And physically describe the kite for
5 me, please.

6 A It's three sheets. There's a pink
7 copy, a yellow copy and a white copy. When
8 you fill it out, it presses through and the
9 kites are then distributed to whomever they
10 need to get to.

11 Q And once there is a response to
12 whatever the request is or issue of concern
13 that's written on the kite, the inmate gets
14 the response back?

15 A That's correct.

16 Q Isn't that correct?

17 A You get a copy of your complaint.

18 Q Right. So it's a three-part form.
19 Once it's completed, all three parts go to
20 administration, you don't know what happens
21 to it when it's in administration, but
22 ultimately you've kept one part; is that
23 right?

24 A Not initially. Initially when you turn
25 the kite in, what happens is after someone

1 has gone over the kite, they then return a
2 copy of the kite to you, so you do get a
3 copy of your complaint back.

4 Q Along with whatever resolution
5 administration has given?

6 A If there's a response, mm-hmm.

7 Q And am I correct that at no time did
8 you ever write a kite complaining of former
9 Correction Officer Drennen's conduct to
10 administration?

11 A Not at that time, but I will say the
12 inherent problem with their kiting system is
13 this: That when you ask for a kite, you
14 can't just ask for a kite and the COs give
15 it to you, as it probably should be.

16 What they will do is if you request a
17 kite, whatever CO you ask for it will ask
18 you the reason that you want the kite. If
19 they don't deem the reason that you want the
20 kite to be okay, they will deny you the
21 kite.

22 And in a situation like I found myself
23 in, I was going to be spending quite a bit
24 of time in there and I was really nervous
25 and apprehensive about being in a position

1 where I had to talk about something of such
2 a serious nature with just any employee,
3 because my fear was that if I brought this
4 attention to someone, that it wouldn't stay
5 -- it wouldn't go just to administration.

6 I was afraid that either, A, I might be
7 denied the kite, that -- because when you
8 ask for the kite also, I should add this in,
9 whatever correction officer you ask for the
10 kite has to put their name on the complaint
11 form, that they were the one who gave it to
12 you, and then when the problem is addressed,
13 sometimes I've run into this problem, where
14 the CO may not want to be linked to whatever
15 complaint you're having, so they won't want
16 to give you the kite.

17 We can talk about this a little more
18 later down the road because I ran into a
19 problem with the kiting system after this
20 event happened, but I guess what I'm saying
21 is if your question to me is why I didn't
22 ask for a kite, it was because I was worried
23 that what was going on would get out and
24 that it would cause problems for myself the
25 rest of my stay there.

1 I didn't want it to be some rumor that
2 started spreading through the system and
3 cause me problems because, you can
4 understand, I was going to be there for
5 sometime.

6 Q Have you completed your answer?

7 A Yes.

8 Q So my question was much simpler than
9 that.

10 A Sorry.

11 Q Although I appreciate your answer. You
12 don't have to apologize.

13 My question is simply this: At no time
14 did you ever report your concerns about
15 Corrections Officer Drennen to
16 administration through the use of a kite,
17 did you?

18 A No.

19 Q Okay. Thank you.

20 Did you ever verbally report your
21 concerns about Corrections Officer Drennen
22 to either Lieutenant Shay, Sheriff Altieri
23 or any other member of the Trumbull County
24 Jail administration?

25 A No.

1 Q Are you presently employed?

2 A Yes, I am.

3 Q Where do you work?

4 A I work at Station Square restaurant and
5 that's located on Belmont Avenue,
6 Youngstown, Ohio.

7 Q What do you do there?

8 A I'm a hostess.

9 Q How long have you worked there?

10 A I've worked there for two months now.

11 Q Who's your supervisor?

12 A Octavio Bucciemmi, B-U-C-C-I-E-M-I.

13 Q What's his title?

14 A He's the owner.

15 Q Now, you told me that you were in the
16 Trumbull County Detention Facility three
17 times, the first you just described as being
18 in 2009 for six months. When was the next
19 time?

20 A The next time was my stay that's in
21 question for this matter, so that was in
22 2000 and --

23 THE WITNESS: Am I correct
24 to say '13?

25 BY MR. RASKIN:

1 Q Again, it's not a memory contest, but
2 you can't ask your lawyer.

3 A Okay.

4 Q So if you remember, tell me. If you
5 don't remember, I'll see if I can prompt
6 you.

7 A Okay. Terrific. I believe it was
8 somewhere around 2013.

9 Q If I told you that the records reflect
10 that it was in 2014, would that refresh your
11 recollection?

12 A '14, correct.

13 Q Do you know when in 2000 -- here, let
14 me, just before I ask you that, let me
15 withdraw that question for a moment.

16 A I was released in September, so...

17 Q According to the records that I have,
18 you were booked into the Trumbull County
19 Jail for possession of heroin use and
20 possession or sale of drug paraphernalia on
21 February 12th, 2014 at 3:56 p.m. Would that
22 refresh your recollection?

23 A Terrific. Yes.

24 Q Were you convicted of any of those
25 crimes?

1 A I was convicted of a drug possession in
2 Common Pleas Court through Trumbull County
3 and I was booked in on a probation violation
4 stemming from that charge.

5 Q In what court were you convicted?

6 A Trumbull County Common Pleas.

7 Q And were you convicted of drug
8 possession?

9 A Yes.

10 Q Were you convicted of possession for
11 sale?

12 A No.

13 Q But it was a felony offense?

14 A It was, but it was pled down to a
15 misdemeanor charge.

16 Q Well, were you convicted -- strike
17 that. That was my fault. That was a bad
18 question and I apologize.

19 Were you convicted of a misdemeanor or
20 a felony?

21 A In the end, a misdemeanor then.

22 Q Was it an M1 misdemeanor drug
23 possession?

24 A Yes.

25 Q And how long were you sentenced?

1 A Just over six months.

2 Q And did you spend -- was that six
3 months concurrent with your probation
4 violation?

5 A I served the six months for the
6 probation violation. Initially in court, I
7 was let out. I was involved in a treatment
8 program and I -- my probation violation was
9 for not reporting, and then when I did go in
10 late and report, I was sanctioned to spend
11 that time in Trumbull County Jail.

12 Q So you were in jail from about February
13 12th until sometime in August?

14 A Yes.

15 Q Okay. I have, according to my notes,
16 that you were released on August 16th, 2014.

17 A Terrific.

18 Q Is that right?

19 A Yes.

20 Q That's consistent with your memory?

21 A Yes.

22 Q You weren't transferred to another
23 detention facility, you were released?

24 A Correct.

25 Q And is it during this six-month period

1 of time that you claim former Corrections
2 Officer Drennen engaged in inappropriate
3 conduct?

4 A Yes, it is.

5 Q I see. And can you be more specific
6 with respect to the dates and times when you
7 claim Corrections Officer Drennen engaged in
8 this conduct?

9 A I mean, specifically, no, but there
10 were numerous times throughout my stay.

11 Q Well, can you drill down to one or more
12 months when you claim that former
13 Corrections Officer Drennen engaged in
14 inappropriate conduct directed at you?

15 A Certainly. I would say within the
16 first three months of my stay was when I
17 witnessed it.

18 Q So that would have been sometime
19 between February 12th and May 12th?

20 A February and April.

21 Q Well, February to March would be one
22 month, March to April would be two months,
23 April to May would be three months.

24 A Yes.

25 Q I don't want to put words in your

1 mouth, I just want to understand your
2 testimony.

3 So are you saying sometime between the
4 middle of February and the middle of May?

5 A Sometime between the middle of February
6 and the time that Katie was released would
7 be a more accurate timeline. I'm not sure
8 of her release date, but that's when it
9 stopped.

10 Q Now, with regard to the conduct about
11 which you complain, am I correct in
12 understanding that you do not claim that
13 former Corrections Officer Drennen
14 inappropriately touched you in any way; is
15 that correct?

16 A That's correct, not myself.

17 Q And so you were released in August of
18 2016, and how long do you remain out before
19 you're once again incarcerated?

20 A I was out until June of 2017, June,
21 July.

22 Q Until June of 2017?

23 A Yes -- or I'm sorry. 2016.

24 Q Okay. And why were you -- and then you
25 were arrested for the breaking and entering?

1 A That's correct.

2 Q And you did six months plus one
3 additional month on the probation violation
4 in 2016, again at the Trumbull County
5 detention facility, correct?

6 A That's correct.

7 Q So I'm having a little bit of
8 difficulty understanding. Then were you
9 transferred to Marysville?

10 A Yes. I spent the 30 days -- well, over
11 30 days actually. The time I spent going to
12 court for my new charges, plus the 30 days
13 that I did for municipal court, and then I
14 was transferred directly to Marysville to
15 serve out the remainder of that time.

16 Q On the breaking and entering?

17 A That's correct.

18 Q So you did the probation violation in
19 the Trumbull County detention facility?

20 A Yes.

21 Q And then the six months in Marysville?

22 A Yes.

23 Q And as before, you never wrote a kite
24 -- well, strike that.

25 As before in 2014 during your

1 incarceration at Trumbull County, you never
2 wrote a kite complaining about Correction
3 Officer Drennen to management or
4 administration of the facility, did you?

5 A No, I did not.

6 Q And as before, you didn't verbally
7 report your belief that Corrections Officer
8 Drennen was acting inappropriately towards
9 you to Sheriff Altieri, Lieutenant Shay or
10 any other member of the administration of
11 the Trumbull County detention facility, did
12 you?

13 A No, I did not. We don't have any
14 contact with, I will say this, with Sheriff
15 Altieri or with Eric Shay, not during the
16 time that I was there, other than when Eric
17 Shay came to speak with me about the events
18 in question.

19 Q Well, since you've brought that up, let
20 me ask you about that.

21 A Sure.

22 Q Do you have a memory of the timeline
23 with respect to when Lieutenant Shay was
24 first made aware of your concerns about
25 Corrections Officer Drennen?

1 A Sure, I do.

2 Q What date was that?

3 A I believe it was the 16th. Can we look
4 at that?

5 Q Have you completed your answer?

6 A Yes.

7 Q Okay. Do you have some documents that
8 you've used to refresh your recollection or
9 help you to testify today?

10 A No.

11 Q All right. So when you say, "Can we
12 look at that," what were you referring to?

13 A Oh, I'm sorry. I take it back. What I
14 was referring to was we do have the copy of
15 his formal complaint, which was what
16 initiated Eric Shay to come and speak with
17 me, and I believe that that is dated, so we
18 do have that.

19 Q So whatever that date is is what you're
20 using to refresh your memory?

21 A Yes, sir.

22 Q Okay. So let me see if I can help
23 you.

24 According to my notes, you correct me
25 if I'm wrong, former Corrections Officer

1 Drennen wrote an incident report on May 4,
2 2014 in which he stated that inmates
3 Cordwell and Rafferty were trying to
4 blackmail him into providing them with
5 contraband.

6 I believe his exact description was
7 that the two of you had asked for cigarettes
8 and a lighter during razors in return for
9 not reporting his conduct to jail
10 administration.

11 Does that help to refresh your
12 recollection?

13 A Yes, it does. I have, in fact, read
14 the report, so...

15 Q So that would have been -- so can we
16 agree that that would have occurred on May
17 4th, 2014?

18 A Yes, we can.

19 Q Okay. Can we agree that on May 5th,
20 2014, Lieutenant Shay reported that
21 complaint -- strike that.

22 Can we agree that Lieutenant Shay
23 became aware of or saw that report on May
24 4th?

25 A Correct.

1 Q All right. Can we agree that by May
2 5th, Lieutenant Shay had reported that
3 complaint to Major Stewart?

4 A I do not know that he reported, but --

5 Q That's fine. Let me ask you the
6 question a little bit differently.

7 Do you have any facts to share with me
8 that Lieutenant Shay did not report former
9 Corrections Officer Drennen's statements
10 concerning your conduct and the conduct of
11 former inmate Cordwell on May 5th to Major
12 Stewart?

13 A No, I do not. I think a more accurate
14 way to say that, however, would be that Eric
15 Shay came and spoke with me about the report
16 that Officer Drennen filed against me, and I
17 believe it would be more accurate to say if
18 he reported it to Major Stewart, that he
19 would have reported the complaint against
20 me, not my complaint against him.

21 Q Well, isn't it a fact that you refused
22 to talk to Lieutenant Shay when he met with
23 you on May 4th or 5th?

24 A That isn't completely accurate. No,
25 it's not.

1 This is the way it happened. When Eric
2 Shay and the other sergeants pulled me out
3 of my pod, they turned our lights on early,
4 before breakfast bags, which are usually
5 served at 5:00, 5:30 a.m., and brought me
6 into a conference area and reported to me
7 the complaint that Officer Drennen had wrote
8 against myself and Tania Cordwell.

9 When I was made aware of that
10 complaint, what I told Eric Shay and what I
11 told him in the presence of other sergeants
12 was that the complaint that he had filed
13 was, in fact, completely false and that that
14 was not what happened, that was not the
15 conversation that was had, or anything, and
16 I told him that at that time, before I was
17 going to speak on the matter, that if they
18 had any questions about what had been going
19 on in our pod, that they could go and ask
20 any of the other girls currently housed in
21 there to tell them about what was really
22 going on.

23 At that time, Eric Shay and the
24 sergeants took me from the conference room
25 down into the booking area and put me in a

1 holding cell. They then went and
2 individually pulled out the girls who were
3 also housed in Trustee Pod and each of those
4 girls spoke with Eric Shay about what they
5 had witnessed, same as what I had witnessed
6 during the previous months.

7 After they had interviewed all the
8 other girls in there, I then was returned to
9 the conference room and I did speak with
10 Eric Shay about the matters that were going
11 on.

12 Q Did you refuse to write a statement?

13 A I wrote a statement and gave it to my
14 lawyer, Sarah. When I was asked by Major
15 Stewart to give a verbal statement, I did
16 request on audio that I would be more than
17 happy to comply with giving a statement, but
18 that I wanted to make sure that I had
19 counsel present before I did so.

20 Q Okay. So let me ask you some questions
21 so that I understand. So are you telling me
22 that on May 4th or 5th -- well, strike
23 that.

24 Let me see if I can give you some
25 context before I ask you that question.

1 According to the information that I
2 have, Lieutenant Shay contacted Major
3 Stewart concerning this matter on May 5,
4 2014, the day after he learned about it. Do
5 you have any information that would
6 contradict that?

7 A No, I do not.

8 Q Do you know the date that -- well,
9 strike that.

10 According to the information that I
11 have, Lieutenant Shay spoke with you the day
12 before, on May 4th, 2014. Do you have any
13 information that would contradict that?

14 A No, I do not.

15 Q According to the information I have,
16 Major Stewart interviewed Tania Cordwell on
17 May 4th, 2014 and also sought to interview
18 you and you refused. Is that correct?

19 A That's correct.

20 Q You say that Lieutenant Shay
21 interviewed the other women in C Pod on May
22 4th, 2014, but you were not present for
23 those interviews, were you?

24 A No, I was not.

25 Q So you don't know who was interviewed

1 and what the interviewee said, do you?

2 A No, I do not.

3 Q Okay. It is true, however, that when
4 Major Stewart sought to interview you and
5 asked you to give him a written statement,
6 you declined on May 5th?

7 A That's correct.

8 Q Now, are you aware that Major Stewart
9 also interviewed former Corrections Officer
10 Drennen on May 5th?

11 A Yes, I am.

12 Q And how are you aware of that?

13 A I'm aware of that through information
14 made available to me.

15 Q I'm sorry, I'm going to interrupt you.
16 It violates one of the things I said
17 earlier, but I think you were about to tell
18 me that you learned that, or perhaps been
19 about to tell me that you learned that from
20 your counsel, and that I don't want to
21 know. Your communications with your lawyers
22 are privileged and I'm not entitled to know
23 what they are, and I apologize for not
24 telling you that in advance.

25 So whenever you're answering any of my

1 questions, if the source of your information
2 is from your counsel, please just tell me,
3 "I can't answer that question because I
4 learned it from my counsel."

5 A Okay. Terrific.

6 Q So with that in mind, did you learn
7 from any other independent source that
8 former Corrections Officer Drennen was
9 actually interviewed on May 5th, 2014?

10 A So I'll just answer that I can't speak
11 on that at this time.

12 Q That's fine.

13 A Thank you.

14 Q Are you aware of any facts that former
15 Corrections Officer Drennen was not
16 interviewed by Major Stewart on May 5th?

17 A No, I'm not aware of that.

18 Q All right. According to the records I
19 have, Major Stewart also interviewed Ms.
20 Humenik, H-U-M-E-N-I-K, and Ms. Sherman on
21 May 6, 2014. Are you aware of any facts to
22 the contrary?

23 A No.

24 Q According to the information I have,
25 Major Stewart interviewed former inmate

1 Jessica Friend, who at that time was at
2 NEOCAP on May 7, 2014. Do you have any
3 facts to share with me to the contrary?

4 A No, I do not.

5 Q According to the information I have,
6 Major Stewart again interviewed former
7 Corrections Officer Drennen in the presence
8 of the union representative on May 13,
9 2014. Do you have any facts to share with
10 me to the contrary?

11 A No.

12 Q According to the information I have, at
13 that interview, Major Stewart informed
14 former Corrections Officer Drennen that it
15 would be necessary that he undergo a
16 polygraph examination. Do you have any
17 facts to share with me to the contrary?

18 A No, I do not.

19 Q According to the information I have, at
20 that interview, former Corrections Officer
21 Drennen, in the presence of Major Stewart
22 and his union rep, agreed to take a
23 polygraph test. Do you have any facts to
24 share with me to the contrary?

25 A No, I do not.

1 Q According to the information I have, on
2 May 13, at approximately 6:30 p.m., the same
3 day on which he was earlier interviewed by
4 Major Stewart in the presence of his union
5 rep, former Corrections Officer Drennen
6 telephoned the facility, the Trumbull County
7 detention facility, and informed the officer
8 who answered the phone that he was
9 resigning, effective immediately.

10 Do you have any facts to share with me
11 to the contrary?

12 A No, I do not.

13 Q So utilizing the timeline that we've
14 just talked about, can we agree that from
15 the time that you were first approached
16 about the conduct which you complained
17 former Corrections Officer Drennen engaged
18 in, which would have been May 4, 2014,
19 until the time that he resigned on May 13,
20 2014, an investigation was immediately
21 undertaken?

22 A I would not say that because I was not
23 made aware during my time there that an
24 investigation was happening.

25 Q Okay. Well, let me ask it

1 differently.

2 Do you have any facts to share with me
3 which would suggest that immediately upon
4 being notified of your complaints, Trumbull
5 County detention facility administration
6 undertook an investigation which commenced
7 on or around May 5, 2014 and concluded on
8 or around May 13, 2014 with the resignation
9 of former Corrections Officer Drennen?

10 A After I was questioned, at no time did
11 jail staff make me aware that they were
12 currently undergoing an investigation
13 looking into Correction Officer Drennen.

14 I was, for all intents and purposes,
15 left in the dark. My statement was given, I
16 talked to Mr. Shay and after that, there was
17 absolutely no communication between jail
18 staff and myself. At no point was any sort
19 of counsel offered, at no point did they
20 offer to send in someone for me to speak
21 with about these events.

22 As a matter of fact, the only way I was
23 able to get in contact with a counselor to
24 speak with what was going on, I had to fill
25 out a form and request to see him. It's a

1 gentleman; his name is Rick. He's from
2 Coleman.

3 He's a liaison through the Coleman
4 agency who works with the jail. He handles
5 inmates who may be on psych medications, who
6 have maybe some emotional problems. He's
7 there to help counsel anyone who's having
8 issues within the jail.

9 So I had to take it upon myself at that
10 time to fill out a request form and even
11 asked to speak to someone.

12 So, in all honesty, I will say that
13 anything having to do with an investigation
14 going on about Corrections Officer Drennen,
15 I was never made aware of. The only -- at
16 what point in time I knew that an
17 investigation was being undergone was only
18 through counsel, which you said I can't
19 speak on, so that's fine.

20 Q Now, I'm going to ask you to listen to
21 the question that I asked.

22 MR. RASKIN: Angie, read
23 it back, please.

24 - - -

25 (Record read.)

1 - - -

2 MS. KOVOOR: I'm just
3 going to object to the vagueness
4 regarding the investigation because
5 I'm not sure whether she understands
6 it's an investigation as to her
7 complaints or an investigation into
8 Drennen's complaints against them.

9 THE WITNESS: Exactly.
10 Thank you. I feel like that's
11 getting melded together.

12 MR. RASKIN: So the
13 problem I have is with speaking
14 objections. But I think that that's
15 a fair one actually, so I'm not
16 going to argue with you over that.

17 BY MR. RASKIN:

18 Q Let me ask the question differently.
19 Do you have any facts to share with me that
20 from the time your complaints were reported
21 and former Corrections Officer Drennen's
22 complaints were reported to jail
23 administration, both occurring on or around
24 May 4 or 5, 2014, the jail administration of
25 Trumbull County did not promptly investigate

1 those complaints between May 4 and
2 concluding on May 13, 2014 with former
3 Corrections Officer Drennen's resignation?

4 MS. KOVOOR: Objection.

5 Compound.

6 BY MR. RASKIN:

7 Q You can answer.

8 A I don't have any information to prove
9 that they were not investigating, but I will
10 also say that I do not have any information
11 -- no information was made aware to myself
12 that they were, in fact, investigating my
13 reports or his reports.

14 Q Thank you. Apart from this case, have
15 you ever been either a plaintiff, which is
16 what you are in this case, or a defendant in
17 any other civil case?

18 A No, I have not.

19 Q Have you described for me all of your
20 convictions for crimes of dishonesty in the
21 last 10 years?

22 A Yes, I have.

23 Q Have you been hospitalized in the last
24 10 years, other than for the birth of your
25 daughter?

1 A No. Overnight stays, no.

2 Q Would you list for me all of the
3 physicians with whom you have treated in the
4 last 10 years, please?

5 A Certainly. I've been treated by Dr.
6 Daniel T. Brown.

7 Q Where is Dr. Brown -- and I'm going to
8 ask you questions about each one.

9 A Certainly. That's not a problem.

10 Q Daniel T. Brown is located where?

11 A He was previously located on Belmont
12 Avenue in Liberty at the time I saw him. He
13 is now the director of the healthcare area
14 at Meridian Services currently.

15 Q Meridian Services is where?

16 A That's in Youngstown, Ohio as well.

17 Q What did you treat with Dr. Brown for?

18 A Dr. Brown was just a normal family
19 physician. I was transferred to him after
20 my previous family physician, who was Suman,
21 S-U-M-A-N, K., Mishr, M-I-S-H-R, who was
22 also located in Youngstown, Ohio.

23 When Dr. Mishr quit practicing, I was
24 referred to Dr. Brown through his office.

25 Q Who else have you treated with?

1 A I've also been treated through Meridian
2 Services through both their healthcare area,
3 their mental health counselors and
4 psychiatrists.

5 Q Who are their mental health counselors
6 and psychiatrists?

7 A My most current counselor's name is
8 Kim, and my previous counselor's name is
9 Valerie Prevosnak.

10 Q Do you want to spell that for the
11 record?

12 A Sure. Valerie how it's usually
13 spelled, and P-R-E-V-O-S-N-A-K.

14 Q And you say Valerie and Kim are both in
15 Meridian Health Services?

16 A That's correct.

17 Q Does Meridian Health Services go under
18 any other name?

19 A Not to my knowledge, no.

20 Q I can tell you that we have presumably
21 been provided with all of your medical
22 history and there is no reference at all to
23 Meridian Health Services, nor is there any
24 reference to either of the two doctors whose
25 names you've mentioned, Daniel T. Brown or

1 Dr. Mishr.

2 Can you explain why that is? You're
3 sure Meridian doesn't go under Northside
4 Medical Center?

5 A No, sir. That's a hospital in our
6 area. I mean, I was in my counselor's
7 office, I saw all the paperwork that was
8 supposed to have been faxed. I read over it
9 and signed it.

10 Q Maybe it goes under a different name.

11 A Meridian Community Care possibly.

12 Q Not Townhall?

13 A No. That's another facility.

14 Q We've got a lot of records, but we
15 don't have any records from either of those
16 two providers or any organization known as
17 Meridian.

18 Let me just ask you about the ones that
19 we do have and you can tell me what I'm
20 missing. According to the records we have,
21 you treated with Townhall from September of
22 2009 until May of 2010. Did you treat with
23 Townhall?

24 A That's correct, I did.

25 Q You treated with Coleman Behavioral

1 Health in May of 2010; is that correct?

2 A With Coleman in 2010?

3 Q Yes, after being transported to St.

4 Joseph Health Center by your mother for an
5 overdose.

6 A I don't think that's my paperwork.

7 Q I'm just asking you is that correct or
8 not, or if you don't know, you can tell me
9 you don't know.

10 A I don't know that that's correct.

11 Q I also have that you treated at
12 Northside Medical Center in July of 2013 and
13 again in August of 2013 for recurrent
14 herpes, nasal MRSA?

15 A Northside, yeah.

16 Q I have a Neil Kennedy Recovery Center
17 in 2010 for your opioid, cannabis and
18 OxyContin and heroin use; is that right?

19 A That's correct, and there are -- that
20 wasn't very thorough with Neil Kennedy.
21 There is more time that was spent with that
22 agency than what is listed there.

23 Q So you don't think --

24 A So I don't think that that's very
25 thorough.

1 Q I see. So you don't think they gave us
2 all the records?

3 A That's correct.

4 Q I see. Okay. And then I have Valley
5 Counseling Center from 11/8/2010; is that
6 correct?

7 A That's correct.

8 Q And a Joseph Konieczny,
9 K-O-N-I-E-C-Z-N-Y, a psychologist who you
10 treated with in 2011?

11 A Correct.

12 Q So these are all the records I have for
13 you, ma'am. So are you telling me that we
14 don't have a complete set of treatment
15 records?

16 A That is correct.

17 Q Okay. So, if you don't mind, why don't
18 you tell me what we're missing, please?

19 A Sure. What you're missing is I also
20 did a lengthy time of outpatient treatment
21 and individual counseling with Neil Kennedy
22 Recovery Services. I also --

23 Q I'm sorry, I don't mean to interrupt
24 you. Can you give me approximate years?

25 A Sure. Prior to the time I spent in

1 Townhall, immediately prior I should say, so
2 up until the date that I was transferred to
3 Townhall 2's agency, I was working on an
4 outpatient basis with Neil Kennedy at their
5 Howland offices, and again upon my release
6 from Townhall 2's agency, when I moved back
7 to the area, I once again re-engaged with
8 Neil Kennedy on an outpatient program and
9 saw an individual counselor following the
10 time I spent at Townhall 2. I did complete
11 their entire outpatient program that time.

12 Q So I have Townhall 2 9/1/09 to
13 1/7/2010. Are you telling me that -- would
14 you then have gone back to treating with
15 Neil Kennedy?

16 A That's correct.

17 Q I have Neil Kennedy as 1/8/2010 to
18 2/9/2010. Are you telling me that you
19 treated with them for some other period of
20 time or a longer period of time?

21 A Yes. In addition to what you have
22 there, which would have been after I left
23 Townhall 2's agency, I was also working with
24 them prior to my going to Townhall 2.

25 Q How about after?

1 A I was engaged with treatment and
2 counseling through Neil Kennedy. Then I
3 transferred services to a different county
4 where I stayed and was engaged with Townhall
5 2.

6 Then when I moved back to this area,
7 when I finished their program, I re-engaged
8 in another program again with Neil Kennedy.

9 Q It sounds like what you're telling me
10 is Neil Kennedy hasn't sent us all of your
11 records?

12 A Correct.

13 Q I see. Any other records -- well,
14 strike that.

15 So in what years, then, did you treat
16 with Neil Kennedy after 2010 that we don't
17 have, because we don't have any records --

18 A It would have been prior to 2010. It
19 would have been 2008, 2009.

20 Q How about afterwards?

21 A After that, no, that was the last time
22 I completed services through them.

23 After that was when I began engaging in
24 services through Meridian Healthcare, and
25 that's the agency that I've been with ever

1 since.

2 Q Okay. All right.

3 A I was engaged with Meridian Healthcare
4 from 2011 up until the point that I was
5 detained in Trumbull County's detention
6 facility in 2013, and then I've been
7 re-engaged with them once again currently, I
8 should say.

9 Q So you're currently treating with
10 Meridian?

11 A I'm still currently treating there,
12 that's correct.

13 Q So we don't have any of this
14 information and so what I'm going to have to
15 do -- we'll go forward with your deposition.

16 A Sure.

17 Q But I am going to have to reserve the
18 right to bring you back.

19 A That's not a problem.

20 MR. RASKIN: Sarah, at a
21 break, I'll ask that Ms. Rafferty
22 sign a release so that we can get
23 those records.

24 MS. KOVOOR: I would agree
25 to bring Ms. Rafferty back for the

1 limited purposes of these questions
2 regarding the health discovery that
3 apparently has not been provided.

4 MR. RASKIN: Well,
5 assuming that's all that hasn't been
6 provided, I can live with that. If
7 there's more that we find out about,
8 then, of course, I would ask your
9 agreement to expand on that.

10 BY MR. RASKIN:

11 Q Okay. So let me just ask you,
12 Meridian -- is it Meridian Healthcare?

13 A It's called Meridian Services, but I've
14 also seen it headlined on paperwork as
15 Meridian Community Care. It depends on
16 which end of the facility you are.

17 They offer health care, they offer
18 mental health services, they offer drug
19 addiction counsel.

20 Q So can you give me the name of --
21 first of all, are you treating at Meridian
22 with any medical professionals?

23 A Yes.

24 Q What are their names, please?

25 A My counselors are Kim and Valerie.

1 Then the psychiatrist there who prescribes
2 the medication, he's new. I don't know his
3 name yet. It usually takes about six weeks
4 to get in to him, so I do have an
5 appointment with him, but I have not met
6 with him yet.

7 Q So have you treated with any -- well,
8 who was the psychiatrist that preceded the
9 one whose name you don't know?

10 A I can't remember. It was a strange
11 name. I'd only see him once a month to have
12 my prescriptions filled.

13 Well, that's what I'm going back for
14 now is to go back on the prescription
15 medications he had me on.

16 Q Where is Meridian Services located?

17 A It's located on Meridian Road,
18 Youngstown, Ohio.

19 Q Do you know the address?

20 A No, I do not.

21 MS. KOVOOR: Mr. Raskin,
22 may I ask for a bathroom break,
23 especially for Katie?

24 MR. RASKIN: Of course.

25 - - -

1 (Short recess taken)

2 - - -

3 BY MR. RASKIN:

4 Q Okay. So let's go back on the
5 record.

6 A Terrific.

7 Q Usually people don't tell me
8 "terrific." Either I'm particularly
9 well-behaved today or you have very low
10 standards, or both.

11 So you're treating at Meridian
12 Services, which is also known as Meridian
13 Community Care. It's located on Meridian
14 Road in Youngstown, Ohio?

15 A That's correct.

16 Q You don't know the name of the
17 psychiatrist who's doing your medication
18 management?

19 A No.

20 Q But you do have the names of your
21 counselors?

22 A Yes, that's correct.

23 Q May I have the names of your
24 counselors, please?

25 A Kim, and I don't know Kim's last name.

1 And my other counselor's name is Valerie
2 Prevosnak.

3 Q And you spelled that once,
4 P-R-E-V-O-S-N-A-K?

5 A N-A-K, that's correct. Kim Russell.

6 Q Kim Russell?

7 A Yes.

8 Q Okay.

9 A And if you'd like the address, the
10 address is 527 North Meridian Road,
11 Youngstown, Ohio, 44509.

12 Q Thank you.

13 A Sure.

14 Q And are you counseling with both
15 Valerie and Kim, or did Kim replace Valerie?

16 A Initially I spent the majority of my
17 time counseling with Valerie. Valerie has
18 since then gotten a promotion, so Val is my
19 counselor that I see weekly, but Valerie
20 still oversees my caseload and I do still
21 meet with her, just not as often.

22 Q So you're counseling with Kim Russell
23 weekly?

24 A Yes.

25 Q And have you been counseling with Kim

1 Russell weekly since you were released from
2 Marysville in January of this year?

3 A Yes, I have. I was released on January
4 1st and I re-engaged in treatment on January
5 3rd.

6 Q Okay. Are you actively counseling with
7 any other behavioral health professional
8 apart from those associated with Meridian
9 Services, also known as Meridian Community
10 Care?

11 A No, I'm not.

12 Q You said that you are on medication
13 management through a psychiatrist at
14 Meridian. Can you tell me what medications
15 you are presently taking, please?

16 A Currently I'm not taking any until I
17 see the psychiatrist again, but as per my
18 counselor and I, they most likely will put
19 me back on the same medications I was on
20 prior to. Those medications are --

21 Q Wait a minute. Let me stop you for a
22 minute.

23 A Sure.

24 Q When you say the medications you were
25 on prior to, is that prior to re-engaging in

1 January?

2 A Yes. The medications -- okay. Sure.

3 Q I just want to know what medications
4 you're presently taking. Is your answer
5 none?

6 A Today, none.

7 Q Okay. And you haven't been prescribed
8 any medications for behavioral health
9 conditions which you have since going back
10 to Meridian in January of this year; is that
11 correct?

12 A Correct; since I've been back, yes.

13 Q But you do have an appointment with the
14 psychiatrist at Meridian and when is that?

15 A Yes. That is not for another two
16 weeks. She referred me to them as soon as I
17 re-engaged. It's just with how many clients
18 they see, it takes a length of time before
19 you can get into the office.

20 Q So am I correct that you're not taking
21 any prescription medications today?

22 A That's correct.

23 Q And you have not taken any since you
24 were released from Marysville?

25 A That's correct. The only type of

1 prescription medication that I am prescribed
2 at this point is a monthly shot of Vivitrol
3 and that's it.

4 Q What's the purpose of that?

5 A Essentially what it is is it is just an
6 opioid blocker. It's an injection given
7 once monthly.

8 Q And do you go to Meridian for that?

9 A Yes, I do.

10 Q Apart from the glitch that we've been
11 discussing about your current treatment with
12 Meridian, are there any other medical or
13 behavioral health providers that we do not
14 have records from that you've seen in the
15 last 10 years?

16 A Not in the last 10 years, although I
17 was previously engaged in mental health
18 counseling prior to that timeline.

19 Q I understand that. I'm aware of that,
20 but I'm simply asking about the last 10
21 years. You understand?

22 A That's correct.

23 Q So let me just make sure that we
24 agree. I have records from Townhall 2 from
25 2009 and again in 2010. Did you treat with

1 Townhall 2 for a behavioral specialist
2 there?

3 A Yes, I did.

4 Q Are you aware of their diagnosis?

5 A Yes, I am.

6 Q And what was the diagnosis of the
7 behavioral health professionals at Townhall
8 2?

9 A My diagnosis through them was that I
10 had PTSD and anxiety problems.

11 Q Okay. And the PTSD and anxiety
12 problems preexisted the events which give
13 rise to your lawsuit that occurred in
14 Trumbull County; did they not?

15 A That's correct. Those stem from
16 previous incidents of rape that I
17 experienced at a younger age.

18 Q I see. You're aware that your PTSD was
19 diagnosed as chronic?

20 A That's correct.

21 Q I also have records from Coleman
22 Behavioral Health from May of 2010. Did you
23 treat with Coleman in May of 2010?

24 A I did not treat with Coleman directly.

25 I was taken to the hospital and I believe it

1 must have been a liaison who probably works
2 with the hospital from the Coleman agency
3 who I met with. I didn't actually meet at
4 Coleman's offices.

5 Q But you met with a Coleman
6 representative?

7 A Correct.

8 Q And are you aware that you were
9 diagnosed by that Coleman behavioral health
10 specialist?

11 A I am not aware of that.

12 Q So you're not aware of what diagnosis
13 --

14 A No. I was in the hospital for a short
15 time.

16 Q You did receive a diagnosis while you
17 were -- as a result of your hospitalization
18 at St. Joseph's; did you not?

19 A Not to my knowledge. I don't know what
20 that was.

21 Q So you don't know you were diagnosed as
22 being opioid and cocaine dependent?

23 A I'm sure that is correct.

24 Q Are you aware that you were also
25 diagnosed as suffering from a depressive

1 disorder not otherwise specified?

2 A If that's what the records show. I
3 don't have any evidence otherwise.

4 Q I see. Are you also aware that you
5 claimed that you were diagnosed as being
6 bipolar?

7 A That's correct.

8 Q Did any behavioral health specialist
9 ever diagnose you as being bipolar?

10 A Yes, they have.

11 Q Who is that?

12 A Meridian Healthcare.

13 Q The one whose records we don't have?

14 A Yes.

15 Q Right. Okay. Did you see Dr.
16 Konieczny through St. Joseph's?

17 A If that's what the records show, I
18 don't dispute that. I don't recall his name
19 in particular, but...

20 Q You don't know who Dr. Konieczny is?

21 A No. I'm sure it was probably the
22 attending physician that night, so...

23 Q I don't want you to guess. I also have
24 records from 1/8/2010 to 2/9/2010 from Neil
25 Kennedy Recovery Center. Did you treat with

1 Neil Kennedy at that time?

2 A Yes, I did.

3 Q And according to the records, you had a
4 history of two prior treatments at the
5 facility?

6 A Correct.

7 Q So you've been in Neil Kennedy three
8 times?

9 A Four.

10 Q Four times?

11 A Two outpatients and two residential.

12 Q When were the last -- when was the last
13 residential?

14 A The last residential would have been
15 immediately prior to my Townhall 2's stay.
16 I went in detox in Neil Kennedy's Center and
17 then went immediately from there to Townhall
18 2's facility.

19 Q I see. Would that have been in 2009
20 and 2010?

21 A That would have been, and then I had
22 another one for a detox prior to that.

23 Q Okay. And you reported being diagnosed
24 with posttraumatic stress disorder in 2009
25 due to two rapes at the age of 14 and 16?

1 A Correct. I think the exact ages,
2 however, is 13 and 16.

3 Q You also treated at Valley Counseling
4 Center in 2010; is that right?

5 A That's correct.

6 Q According to their records, you
7 reported being locked in a closet at age 14
8 and being raped. Are you saying that their
9 records are incorrect, it was actually 13?

10 A That is incorrect. It wasn't a closet,
11 it was a bedroom, so that is incorrect as
12 well.

13 Q And then you reported a date rape at
14 age 17?

15 A That's correct.

16 Q You also filed for Social Security
17 Disability; did you not?

18 A That's correct.

19 Q And in support of your Social Security
20 Disability claim which you filed in November
21 of 2010, you claimed that you were bipolar
22 and suffering from hepatitis C and you were,
23 therefore, unable to function or work; is
24 that right?

25 A That's correct.

1 Q You claim you were unable to function
2 and work dating back to June, 2008. Is that
3 also correct?

4 A That's correct.

5 Q And you submitted to a functional
6 capacity examination; did you not?

7 A That's correct, I did.

8 Q And actually the person who performed
9 that was the psychologist, Joseph Konieczny?

10 A Okay.

11 Q I apologize. I didn't mean to mislead
12 you, but I just saw his name.

13 A Sure.

14 Q And, in fact, you learned in January of
15 2011 that your application for Social
16 Security Disability was denied?

17 A That's correct.

18 Q With a conclusion that your condition
19 was not severe enough to keep you from
20 working?

21 A That's correct.

22 Q And, in fact, that's true because
23 you're working, right?

24 A Yes. I will say, though, that at the
25 time, I really wasn't. Emotionally, I was

1 in a place where we had really -- my
2 counselors and I had really been digging
3 into a lot of what happened to me as a
4 child, and I suffer from extremely bad panic
5 and anxiety attacks that were at the time
6 debilitating.

7 I mean, I wouldn't leave the house, and
8 so during those times, you can see on
9 record, I hadn't been employed for an
10 extremely long time. I had during that time
11 been engaged in a significant amount of
12 treatment.

13 So the only reason that a secondary
14 application wasn't filed with Social
15 Security was on account of I ended up back
16 in Trumbull County's facility.

17 Q Have you ever treated with or been
18 examined by a psychologist by the name of
19 Robert Gordon?

20 A Not that I recall.

21 Q Have you ever traveled to the state of
22 Texas to be evaluated by a psychologist,
23 regardless of his or her name?

24 A No, I have not.

25 Q Do you know who Robert Gordon is?

1 A No, I do not.

2 Q Do you recall that you received a
3 series of written questions which you were
4 asked to answer under oath from me? They're
5 called interrogatories.

6 A Oh, yes. I apologize.

7 Q It's a strange name.

8 A Yes, I do.

9 Q But they're just written questions,
10 right?

11 A Yes.

12 Q And you did answer them honestly and to
13 the best of your belief, right?

14 A Yes, I did.

15 Q So I'd like to ask you some follow-up
16 questions about the answers that you
17 provided.

18 A Certainly. That's not a problem.

19 Q So the first question that I asked you,
20 Interrogatory Number 3 asked you to provide
21 me with the name and last known address and
22 telephone number of each and every person
23 who has knowledge pertaining to any of the
24 allegations or claims you make in the
25 lawsuit, and you provided me with the names

1 of other inmates: Nicole DeNicholas, Tania
2 Cordwell, Jessica Smerdell, Jessica Friend,
3 Jessica Dean.

4 Those were all people who were
5 incarcerated at the same time you were; is
6 that right?

7 A Correct.

8 Q Have you obtained statements from any
9 of those people?

10 A I believe that statements from some of
11 those individuals were written, yes.

12 Q My question was have you obtained, and
13 I don't mean to mislead you. I know that as
14 part of the investigation, these individuals
15 or some of them were interviewed and asked
16 to write statements. Are those the
17 statements you're talking about?

18 A Yes, the written statements I have
19 read.

20 Q My question is have you obtained any
21 other statements apart from those given at
22 the jail?

23 A No, sir.

24 Q Okay. You also identify Kevin
25 Rafferty. Who's Kevin Rafferty?

1 A That's my father.

2 Q Okay. Now, I assume that the -- but
3 you correct me if I'm wrong. Is it true
4 that any information that your dad, Kevin
5 Rafferty, has about the claims you make in
6 this lawsuit is the result of what you've
7 told him happened?

8 A Yes.

9 Q And you also list Ernie Sherman. Is
10 Ernie Sherman a relative of Katie's?

11 A Yes, I believe so. It's some
12 relationship to Katie.

13 Q Do you know what the relationship is?

14 A No, I do not.

15 Q Okay. I'll ask her. Am I correct in
16 also assuming that whatever information Mr.
17 Sherman has is information that either you
18 provided to him or you understand Katie
19 Sherman provided to him?

20 A Correct.

21 Q In Interrogatory Number 9, I asked you
22 to list any crimes that you've been
23 convicted of, pled guilty to -- or pled
24 guilty to, including the full name, address
25 and telephone number of the court having

1 jurisdiction, the case number, so on and so
2 forth.

3 What you've given me includes the
4 Warren Municipal Court possession of drug
5 abuse instruments. That was a 2016 case?

6 A Correct.

7 Q You were also charged with criminal
8 trespass?

9 A Correct.

10 Q Did you plead guilty or no contest to
11 the trespass?

12 A I don't recall how -- I don't recall
13 how that worked. That is what I spent the
14 30 days for, for the probation violation.
15 To be honest, I don't recollect how the
16 courts decided on all of that.

17 At the time, we were going fishing
18 behind my daughter's father -- their home.
19 Their backyard backs up into a pond and we
20 were walking back there to go fishing.

21 Well, even though it backs up to their
22 backyard, it does land on city property, so
23 I was ticketed at that time for it, so I
24 don't remember how that played out in
25 court.

1 I don't believe -- I think the only
2 thing that I really got charged with was the
3 drug abuse instrument, so I would have to
4 get a court record to see, to give you the
5 correct answer.

6 Q In 2015, you were convicted of
7 possession of drug abuse instruments?

8 A That's correct.

9 Q In 2009, you were convicted of a theft
10 offense?

11 A Correct.

12 Q In 2009, you were also convicted in
13 Mahoning County Court of disorderly conduct
14 and a theft offense?

15 A That's correct. Those are together.

16 Q And in Trumbull County Common Pleas
17 Court, attempted possession of heroin and
18 possession of drug paraphernalia?

19 A Correct.

20 Q Okay. And in 2011, breaking and
21 entering and possession of criminal tools?

22 A Correct.

23 Q Any other convictions that you have not
24 listed here?

25 A No.

1 Q Do you have a degree from Youngstown
2 State University?

3 A I'm a senior there. I have just a
4 couple credit hours left.

5 Q So the answer's no?

6 A That's correct. I have finished
7 through a partnership with Kent State
8 University and The Cleveland Foundation,
9 I'm certified in both grant researching and
10 grant writing, and I also have tier one and
11 two tax certifications.

12 I previously worked at a bank and a tax
13 agency, and at YSU, I'm a senior in social
14 work.

15 Q And --

16 A For my bachelor's.

17 Q I see. Are you presently enrolled at
18 YSU?

19 A No, not currently.

20 Q I asked you in Interrogatory Number 13
21 to specify in detail the damages you claim
22 to have sustained as a result of the claims
23 you make in your lawsuit. I'm
24 paraphrasing.

25 A Sure.

1 Q Including, but not limited to, an
2 itemization of each element of damage, along
3 with the dollar amount.

4 Now, the response I received as to the
5 dollar amount is "not yet determined," and I
6 understand that.

7 My real question relates to the
8 substantive answer you gave. The answer you
9 gave was "emotional and psychological
10 damage, emotional distress, anxiety, PTSD,
11 nightmares and panic attacks."

12 It is true, is it not, that your
13 treatment records reflect that every one of
14 those conditions you suffered from prior to
15 your incarceration at Trumbull County in
16 2014?

17 A Absolutely it does. What I was
18 referring to in that statement, though, is
19 the acuteness and the frequency of my
20 symptoms that have substantially increased
21 since those events and during that time.

22 Q So has any behavioral health specialist
23 told you that any of your emotional or
24 psychological conditions have become worse
25 as a result of your incarceration in 2014?

1 A Yes. My counselor.

2 Q Who?

3 A My counselor Kim.

4 Q And Kim is a -- do you know what her
5 credentials are as a behavioral health
6 specialist?

7 A Let me take a look at her card for you.

8 Q That'd be great. Thank you.

9 A It'll probably list it afterwards.

10 Q Usually a lot of letters. If you have
11 her card, if I can see it, I'd very much
12 appreciate it.

13 A Sure. Most of these are my -- you know
14 what, I don't have one for Kim; however, I
15 do have Valerie's and Valerie is my head
16 counselor I should say, so...

17 Q Okay. May I have your permission to
18 make a copy of this and I'll return it to
19 you at the break?

20 A Absolutely.

21 MR. RASKIN: I'm not going
22 to make it an exhibit, Sarah.

23 BY MR. RASKIN:

24 Q Just so that I understand, though, did
25 Valerie tell you that your condition, any

1 one of your emotional conditions has been
2 exacerbated subsequent to your incarceration
3 in 2014?

4 A Yes, she and I have spoken about it. I
5 don't see her with the frequency that I see
6 Kim.

7 However, like I said before, she does
8 oversee my entire file and I do still meet
9 with her, so it is something that we do
10 discuss.

11 Q So maybe I need to be a little bit more
12 specific. I'm not asking you what you have
13 reported.

14 I'm asking you whether or not any
15 behavioral health specialist has told you
16 that it is his or her diagnosis that any one
17 of your emotional or psychological
18 conditions have become worse since your
19 incarceration in the Trumbull County
20 detention facility?

21 A Yes.

22 Q Who?

23 A Kim. I would say Kim.

24 Q Okay. And that's Kim Russell?

25 A Yes.

1 Q All right.

2 A And then if you would like, I'm sure
3 you can ask Valerie herself. I'm sure
4 she'll be happy to give you her opinion.

5 Q Now, did you counsel with Kim Russell
6 before you were incarcerated at the Trumbull
7 County detention facility in 2014?

8 A No. At that time, I was counseling
9 solely with Valerie.

10 Q You did counsel with Valerie before
11 your incarceration in 2014?

12 A Yes, I did, during my entire length of
13 treatment with Meridian.

14 Q But, unfortunately, I don't have those
15 records, so it's a little difficult for me
16 to ask and review those things.

17 And if I asked you this question, I do
18 apologize, but -- no, I guess I didn't.
19 During what period of time did you counsel
20 with Meridian?

21 A I counseled with Meridian from 2011 all
22 the way up until my incarceration, for that
23 entire length of time in 2013.

24 Q So you were incarcerated in 2014?

25 A Or '14. I apologize. I'm sorry.

1 Q It doesn't matter. It's not a matter
2 of your memorizing dates, but conceptually,
3 I just want to understand.

4 Is it your testimony that from sometime
5 in 2011 until you actually were incarcerated
6 on February 12th, 2014 in the Trumbull
7 County detention facility, you continuously
8 counseled with Meridian Services?

9 A That's correct.

10 Q And during that time, your counselor
11 was Valerie Prevosnak?

12 A That's correct.

13 Q Did you have any other counselors other
14 than Valerie Prevosnak during the 2011 to
15 2014 time frame?

16 A Yes, I did. I attended another
17 specialized group through the agency that
18 was a women's rape crisis group, so I
19 attended that during that time as well.

20 Q Was that a group therapy session?

21 A It was. There was usually three to
22 four of us. It was a very intimate group.
23 Obviously the things being discussed, it
24 wasn't a large group.

25 Q And who were the counselors?

1 A At the time, there were two different
2 counselors who would run them. I don't
3 recall their names at this time. It's been
4 a while.

5 Q Okay. That's fine.

6 A But it will definitely be in the
7 record.

8 Q Now, just so that I'm clear, it's your
9 testimony that Valerie Prevosnak told you
10 that your mental health condition for which
11 you had been diagnosed was made worse as a
12 consequence of your incarceration in the
13 Trumbull County detention facility and the
14 events that occurred there?

15 A Correct.

16 Q Okay. Have you incurred any expense
17 for your mental health treatment?

18 A Currently all of that is covered by
19 insurance, so not personally. My insurance
20 is covering it.

21 Q What insurance is that?

22 A I have CareSource.

23 Q Okay. Is that -- do you have that
24 through work?

25 A No.

1 Q So where did you get CareSource?

2 A Through Job and Family Services. I
3 applied for it for myself and my daughter.

4 Q Is it fair for me to conclude that you
5 have not expended any of your own money at
6 all for any mental health or medical
7 services for conditions which you claim
8 occurred or were made worse as a result of
9 the events during your incarceration at
10 Trumbull County?

11 A That's correct. Everything has been
12 covered by insurance.

13 Q Okay. And from Trumbull County in 2014
14 when you were released, did you work?

15 A No. Well, wait. I take that back.
16 Yes. I worked during tax season for Liberty
17 Tax Service. I worked for them, and that
18 was just, you know, a couple months and that
19 was it.

20 Q And other than that, you didn't work?

21 A No.

22 Q But you were mentally acute enough so
23 that you could prepare other persons' tax
24 returns in 2014?

25 A I worked just very few hours. I would

1 go in just a couple days out of the week and
2 do returns for maybe four hours at a time.

3 It was something to kind of pull me out
4 of the house, something to try and give me
5 something good to focus on to get myself out
6 of myself.

7 So really at the time, that little bit
8 of work, it in a way helped me and my
9 stress.

10 Q I appreciate that, but the answer to my
11 question, you were mentally acute enough to
12 be able to prepare other people's tax
13 returns in 2014, correct?

14 A Yes.

15 Q Thank you. When I asked you in
16 Interrogatory Number 15 to provide me with
17 the names and addresses of your healthcare
18 providers, including psychologists,
19 psychiatrists, doctors, general
20 practitioners, et cetera, you gave me
21 Meridian Services, Townhall, Horizon House,
22 Northside Medical Center and Coleman
23 Counseling Services.

24 Any entity with whom you have received
25 services that is not included on that list?

1 A No.

2 Q Okay. Thank you. In Interrogatory
3 Number 21, I asked you to state the factual
4 basis for your allegation that Trumbull
5 County failed to respond to your complaints
6 regarding CO Drennen in a timely manner as
7 alleged in paragraph 26 of the lawsuit that
8 you filed.

9 Your response was "Trumbull County
10 failed to respond quickly to my complaints
11 regarding Drennen. However, they
12 investigated quickly when Drennen made false
13 allegations against me."

14 The fact of the matter is you don't
15 know how quickly Trumbull County responded
16 to your complaints, do you?

17 A Well, to my knowledge at the time,
18 Trumbull County hadn't given me any type of
19 response to my complaint.

20 Q But I'm asking you now, as you sit here
21 today, you're here to testify about the
22 claims that you make in your lawsuit, and
23 the fact is you don't know how quickly
24 Trumbull County responded to your complaints
25 about former Corrections Officer Drennen, do

1 you?

2 A Correct.

3 Q But what you do know is that you were
4 interviewed on May 5th and you know also
5 that he resigned on May 13th, don't you?

6 A Yes, I'm aware of that now.

7 Q Thank you. In Interrogatory Number 24,
8 I asked you the following question: "Please
9 state the factual basis for your allegation
10 that Trumbull County knew or should have
11 known of Drennen's conduct as alleged in
12 paragraph 23 of your lawsuit."

13 You responded by saying, "Trumbull
14 County knew about Drennen's misconduct. He
15 bragged to me and the other girls that he
16 had been investigated seven times before and
17 nothing happened to him. He threatened to
18 make the rest of my stay difficult. He and
19 other staff members followed through on that
20 threat. I was frightened for my safety to
21 report the incidents and was punished and
22 treated poorly by other COs when I did
23 report."

24 That's a quotation from your answer.

25 A Yes, that is absolutely correct.

1 Q Now, can you tell me the source of your
2 information that Mr. Drennen was
3 investigated seven times?

4 A Sure. Mr. Drennen himself said that to
5 me.

6 Q Have you ever seen any documents which
7 corroborate your statement that Mr. Drennen
8 had been investigated seven times?

9 A No, I do not. The only information I
10 had was him stating that as a fact to myself
11 that evening.

12 Q But, of course, you didn't say that in
13 your interrogatory answer. What you said
14 was that he had been investigated seven
15 times and nothing happened to him, and that
16 isn't information that you can swear is
17 accurate, is it?

18 A No. I can only accurately say that CO
19 Drennen that evening, upon me asking him to
20 please not engage in a sexual type behavior
21 with the next young girl that came into the
22 pod, his response at that time to me was
23 that if I didn't want the rest of my stay in
24 the Trumbull County Jail to be an
25 uncomfortable one, that I wouldn't say

1 anything because he had previously already
2 been looked into a number of times for
3 improper behavior with female inmates and
4 that nothing had come of it.

5 At that time, I took that statement, as
6 I assume anyone would, as a direct threat,
7 and it is correct to say that after staff
8 was made aware of the situation, the fears
9 that I had had initially not wanting to
10 report this all came true, okay.

11 After I reported this to staff, to the
12 head staff, there was no reason, in my
13 opinion, for lower staff to have all been
14 made aware of the situation at hand. If you
15 ask me, that's something that should have
16 stayed in whose laps it had landed.

17 After that, they refused us basic
18 items. We were refused cleaning products
19 during the day. We were refused toilet
20 paper and feminine products.

21 There was one sergeant in particular
22 who would come across our intercom boxes any
23 time a male officer was coming through for
24 rounds and say things like, "Well, you
25 better not talk to any of those girls, they

1 might try and say you're trying to sleep
2 with them."

3 I mean, I had to spend a length of time
4 in there and, I'm sorry, but I didn't
5 deserve that type of treatment, and the
6 treatment that I received was the exact kind
7 of treatment that I didn't want to happen if
8 I had reported it to begin with, and --
9 sorry.

10 To answer your question shortly, yes,
11 that's exactly what happened.

12 Q Okay. My question I think was a little
13 bit different than that, but let me make
14 sure that I ask you the question and you
15 respond to the question that I'm asking.

16 What I asked you was of your own
17 knowledge, you cannot swear under oath that
18 Corrections Officer Drennen was investigated
19 seven times or any other times for similar
20 conduct that you complained about, correct?

21 A Correct.

22 Q Now, you also said -- strike that. Do
23 you need to take a moment?

24 A No, I'm okay.

25 Q Are you sure?

1 A Yeah.

2 Q Because we can take a break.

3 A Okay. Yeah, can I take a break,
4 please?

5 Q Absolutely.

6 MR. RASKIN: As a matter
7 of fact, it's 10 minutes to 12:00.
8 Why don't we take a lunch break?

9 - - -

10 (Discussion had off the record.)

11 - - -

12 BY MR. RASKIN:

13 Q Now, you responded to one of my
14 earlier questions by telling me that you
15 felt that certain other corrections
16 officers, after the report concerning former
17 Corrections Officer Drennen, treated you
18 badly and you made mention of a sergeant.

19 Do you have the identity of any
20 corrections officers that you can provide to
21 me that you claim treated you poorly as a
22 consequence of reporting your complaints
23 about former Corrections Officer Drennen?

24 A The officer who would often come across
25 the intercoms to us at the time was Sergeant

1 Mary. I don't know her last name.

2 Q Sergeant Mary. Okay.

3 A First shift workers are the ones in
4 charge of giving us the cleaning products in
5 the morning, providing us with toiletries,
6 things of that nature.

7 It was during those shifts that we were
8 denied those items, so often we would have
9 to wait till second or third shift workers
10 and request them to be brought in, and
11 because they're supposed to be given to you
12 first shift, a lot of times, you know, they
13 would deny your request because you're
14 supposed to get them during first shift.

15 Q So are you telling me that -- you said
16 toiletries and cleaning products?

17 A Yes.

18 Q Cleaning products for the cell?

19 A Yes. Normally you're supposed to every
20 morning --

21 Q Or the pod rather? According to the
22 timeline that we talked about, you -- this
23 was reported on May 4th of 2014, you
24 remained incarcerated through August, but in
25 the middle of August of 2014. Are you

1 telling me that you did not receive any
2 cleaning products for that entire period of
3 time?

4 A The period of time that I remained in
5 Trustee Pod, there were, in fact, some days
6 that certain first shift officers and
7 sergeants would be working that we would
8 receive them. So to answer it, no, not for
9 the entire length of the time.

10 Q And how about toiletries, same
11 question?

12 A Same answer, not --

13 Q So you received toiletries for your
14 personal use, you received cleaning products
15 for your personal use, but not at the same
16 frequency as before the report; is that your
17 testimony?

18 A And not when -- I would say and not
19 when needed. There were periods of time
20 when we necessitated toilet paper, feminine
21 products and we were just told no, and left
22 to our own devices.

23 Q I'm not asking about "we." I'm asking
24 about you.

25 A Myself, sure. Myself, yes.

1 Q Because you're one of the two
2 plaintiffs in this case.

3 A Yes.

4 Q And did you write a kite to report the
5 transgressions that you just described for
6 me?

7 A I'm glad that you asked this question
8 because this is what I had made reference to
9 earlier.

10 When we would express to officers --
11 when I would express to officers on other
12 shifts the reason why I was asking for
13 cleaning products, toiletries, things of
14 that nature, and they would say, "Why didn't
15 you get them on first shift," I would tell
16 them I didn't get them on first shift
17 because even though we requested them, we
18 were denied those products.

19 When I asked for a kite to report this
20 problem, none of the corrections officers
21 that I asked for the kites, none of them
22 wanted to involve themselves in the
23 complaint. I was denied kites because
24 corrections officers, I guess my assumption
25 would be, did not want to be linked to the

1 issue at hand.

2 Q What is the name of the corrections
3 officer or officers from whom you requested
4 the kites that wouldn't provide them?

5 A I can't remember. I asked a number of
6 corrections officers during that time. I
7 can't remember a particular one.

8 Q As you sit here today, can you give me
9 the identity of any corrections officer
10 employed at the Trumbull County detention
11 facility who you asked for a kite from and
12 who refused it, to give it to you?

13 A No, not in particular. The response
14 that I would get during that time when I
15 would ask for the kites, rather than wanting
16 to give me the kite for the complaint, they
17 would just want to go and get the items that
18 we were asking for in lieu of putting their
19 name on the kite and giving it to me.

20 Q And did you get the items that you were
21 asking for then?

22 A At that time, yes. In lieu of giving
23 me the complaint, they would give me the
24 cleaning products or that.

25 But I think the important part of this

1 is that I didn't get them when they were
2 necessary. I mean, if you have to use the
3 restroom at noon and you have no toilet
4 paper, it doesn't help that you get it at
5 6:00 p.m.

6 Q In Interrogatory Number 24, I asked you
7 to state the factual basis for your
8 allegation that Trumbull County knew or
9 should have known of Drennen's conduct as
10 you allege in paragraph 23 of your
11 Complaint.

12 You told me that he had told you that
13 he had been investigated seven times, but
14 that you had no other source for that
15 information apart from what Drennen told
16 you?

17 A Correct.

18 Q All right.

19 A I will say as well, just to add to that
20 a little bit, that in addition to that, as
21 often as Katie would speak to and flirt with
22 and talk with Corrections Officer Drennen on
23 the intercom system, I find it very
24 difficult to believe that at no time did the
25 other officers whom he was working with

1 during his shifts not hear the conversations
2 going on between the two of them.

3 So in addition to what CO Drennen said
4 to me himself, I just find it very hard to
5 believe that for the frequency that this
6 type of behavior went on, that his
7 co-workers who worked the entire shift with
8 him were never made aware of his type of
9 behavior with female inmates.

10 Q What was the frequency?

11 A From what I experienced, every shift
12 that he worked during midnight rounds.

13 He and Katie would talk with one
14 another and flirt with one another and have
15 their little code words with one another
16 when he wanted notes from her or when he
17 wanted her to expose herself to him.

18 Q How often did Ms. Sherman expose
19 herself to Mr. Drennen?

20 A On a number of occasions.

21 Q I know you know what that means, but I
22 can't jump inside your head.

23 A Sure.

24 Q So what I'm interested in is how often
25 and when?

1 A Sure. How often would be during his
2 shifts. Not during all of his shifts would
3 she expose herself to him, but I would say
4 at least on four or five occasions that I,
5 myself, you know, not sleeping at the time
6 had witnessed.

7 Q So you witnessed four or five times
8 when Ms. Sherman exposed herself to Mr.
9 Drennen while he was working and on rounds?

10 A Correct.

11 Q And that's during the approximate
12 two-month period of time when both you and
13 Ms. Sherman were incarcerated together?

14 A Correct, and that's --

15 Q Actually strike that. I misspoke and I
16 apologize. I don't want to mislead you.

17 A Okay.

18 Q I believe that you were actually, you
19 tell me if I am wrong about that, but it is
20 my impression that you were incarcerated
21 together for approximately three months?

22 A Correct, but during a portion of that
23 time, Katie and I were not housed in the
24 same unit, so that length of time is a
25 little bit smaller.

1 Q All right. So for how many days, weeks
2 or months were you and Ms. Sherman in the
3 same pod?

4 A I would say approximately two that we
5 were in there together.

6 Q Okay. And so over a 60-day period
7 during which you and Ms. Sherman were housed
8 together in the same pod, it's your
9 testimony that four to five times Ms.
10 Sherman exposed herself to Mr. Drennen while
11 you were awake and observing it?

12 A Correct. And that -- not just limited
13 to exposing herself, but there were also
14 other instances where when he would come,
15 where they hit their call button to report
16 that they had made their round was located
17 right next to Katie's bunk, and so, I mean,
18 too many times to count, he would stand
19 there pushing the button beside her bed and
20 say things to her -- like she would put on
21 super-tight shirts or roll her shorts all
22 the way up, and he would stand by her bed
23 and tell her how hot she was and how sexy,
24 and he would make comments to the effect of
25 how hard his dick was and "How am I going to

1 walk around work all night long with my
2 pants like this," and just all these sexual
3 comments.

4 So even during times when Katie wasn't
5 exposing herself to him, they were engaged
6 in a lot of just sexual talk and behavior
7 with one another.

8 Q Where was your bunk physically in
9 relation to Ms. Sherman's?

10 A My bunk was physically right next to
11 her. So even if I turned my head to not see
12 what's going on, I'm still listening to
13 everything that's going on.

14 Q Right. And tell me what you actually
15 saw on the four or five occasions that you
16 claim that Ms. Sherman exposed herself or
17 engaged in other activities at the request
18 of Mr. Drennen.

19 A Sure. On three to four of those
20 occasions, it was Katie exposing her breasts
21 to him and/or touching them, rubbing them.

22 On one particular occasion, she had
23 removed her shorts underneath her blanket
24 and then arranged herself so that when he
25 came in, she was, you know, masturbating for

1 him, which was something that he had alluded
2 to and requested during prior rounds.

3 Q And you heard him request that?

4 A Yes. Request it in their code. He
5 would speak to her a lot of times, and I'm
6 sure this had to do with -- I know
7 occasionally staff supervisors will listen
8 in on call boxes and radios. I think it's
9 probably just part of their policy would be
10 my guess.

11 But, like, Katie would write him notes,
12 and stuff, and he would always come in
13 during rounds and he'd say things to her
14 like, "So, you have any visitor's lists for
15 me tonight," meaning hey, are you going to
16 write me any notes tonight and stuff.

17 Q So how'd you know that that's what that
18 meant?

19 A Well, because Katie -- well, initially
20 Katie had wrote him a note at one point in
21 time and she had told him, "Hey, I have a
22 visitor's list for you," and I'm winking for
23 the record when I said that.

24 And then after that one instance of her
25 writing him the note, then when he would

1 come in after that, he would always request
2 them, you know, "Are you going to have any
3 visitor's lists for me tonight," or he would
4 say, "Do you need to add anyone to your
5 visitor's list tonight," and other than just
6 that -- like I said earlier, first shift is
7 in charge of giving us our cleaning
8 supplies, broom, mop, buckets, cleaning
9 stuff.

10 At the end of first shift, all of that
11 stuff is put away, so he would go and say to
12 us -- or not say to us. I apologize.

13 He would come in and say to Katie when
14 he would want her to expose herself to him,
15 he would say things about, "So you need me
16 to go put that mop handle away for you," or
17 "You need me to go put the broom handle away
18 for you," and, I mean, occasionally once in
19 a blue moon if we had a spill or an accident
20 or something, somebody would bring in the
21 mop stick for us and it would get left in
22 the pod.

23 So Katie can probably recall better
24 than I can how the whole broomstick thing
25 got started, but then it became, just like

1 the visitor's list, it just became this
2 recurrent thing all the time him requesting
3 these things from her.

4 I mean, I'm right next to you, you
5 know. I mean, if you are -- not that it
6 would make it right, because it absolutely
7 wouldn't be right, but this isn't just one
8 person you're engaging with. You have all
9 these other girls who are in here and you're
10 not being quiet about it.

11 You know that people aren't sleeping
12 and you're putting yourself out there in all
13 these sexualized comments and you're egging
14 this young girl on who is young enough to be
15 your daughter and asking her to do things to
16 herself, and not just do things to herself
17 for you, but to do things to herself in
18 front of other girls.

19 Like Katie knows this, I love Katie and
20 I think a lot of her, and I was just
21 embarrassed for her. Like nobody should be
22 put in a position like that, especially not
23 in a place like that, and...

24 Q Did Mr. Drennen ever ask you to engage
25 in any of the acts you just described?

1 A No.

2 Q And you never did?

3 A No.

4 Q So you've told me that over the course
5 of 60 days, there were three or four
6 occasions where Katie Sherman exposed her
7 breasts for Mr. Drennen to see, and on one
8 occasion, you can remember she removed her
9 shorts underneath her blanket and
10 masturbated for him?

11 A Correct.

12 Q Have I correctly summarized your
13 testimony?

14 A Correct.

15 Q Any other incidents apart from what you
16 described?

17 A No, not physically.

18 Q So you said, "No, not physically," so
19 I guess that leads me to ask, are you
20 talking about there might have been some
21 additional verbal exchanges?

22 A Exactly.

23 Q But in terms of what Katie Sherman did
24 in Mr. Drennen's presence, you have
25 described a total of between four and five

1 incidents and described what they were in
2 response to my earlier questions, correct?

3 A Correct. And there may be -- I mean,
4 Katie will have to tell you that, but there
5 may be more instances than that, but those
6 are the ones that I was awake for and
7 present to.

8 Q Well, your claim is that you were awake
9 and were -- I don't want to use the word
10 exposed, but that you saw these events,
11 correct?

12 A Correct.

13 Q So what we're talking about, in so far
14 as your claim, is four to five distinct
15 events --

16 A Correct.

17 Q -- over a period of 60 days?

18 A Exactly.

19 Q I see. Was there an incident that
20 occurred in the detention facility on May
21 6th, 2014 and in particular, in C Pod, for
22 which you were disciplined?

23 A Not that I recall. In C Pod?

24 Q C Pod.

25 A No. I was only housed in C Pod for a

1 short period of time initially when I was
2 first in there. Are you sure that's mine?

3 Q What pod were you in when you claim
4 that Mr. Drennen engaged in the conduct you
5 just described?

6 A Trustee Pod.

7 Q Trustee Pod?

8 A Correct.

9 Q Was there an incident in the Trustee
10 Pod on May 6th, 2014 for which you were
11 disciplined?

12 A Oh, I know. I think I know. Yes.

13 One night we were having Late Night
14 Dinner Theater, us girls. It sounds stupid,
15 but us girls would act out plays out of
16 boredom and we got in trouble because we
17 made ties, like what you have on, out of our
18 socks and had drawn monocles on our faces.

19 We were just goofing around, but we got
20 written up because of horseplay, because we
21 were horsing around, for contraband for
22 turning our socks into neckties and lock
23 strings into hair pieces. I know it sounds
24 ridiculous and embarrassing, but...

25 Q I'm think this isn't exactly the same

1 incident.

2 A Okay. That's the only disciplinary
3 report I received.

4 Q Well, I'm looking at a report dated May
5 6, 2014 at 1:39. Apparently that's when the
6 incident occurred, 0139, and in particular,
7 the corrections officers entered the third
8 floor Trustee Pod to find toilet paper
9 strung up from the phones to the first set
10 of bunks with "Caution Crime Scene,"
11 quote/unquote, written across it.

12 Inmate Della Workman was laying in
13 inmate Michele Rafferty's bunk and inmate
14 Rafferty and Tania Cordwell were standing in
15 the middle of the pod over a chalk-out line
16 of a person on the floor.

17 Inmate Rafferty had a strand of mop
18 tied to a towel and was wearing it as a
19 cape. Inmate Cordwell had a strand of a mop
20 tied around her neck attached to a sock,
21 wearing it as a necktie.

22 Both inmates Rafferty and Cordwell had
23 drawn things all over their face, and all
24 three of you lost commissary and visitation?

25 A Yes.

1 Q And this was horseplay, right?

2 A Yes.

3 Q You were joking around?

4 A Yes.

5 Q And this was immediately after you had
6 reported the conduct of former Corrections
7 Officer Drennen, wasn't it?

8 A No, that was not the same night.

9 Q I didn't say the same night. It was
10 the next day?

11 A I don't think it was the next day.

12 Q Well, this is May 6th.

13 A I don't think it was. I mean, if
14 that's what it's dated, that's fine.

15 Q So whatever trauma you experienced
16 didn't prevent you from horseplaying and
17 having fun in the pod?

18 A Well, I mean, during a time like that,
19 what else do you do? I mean, under the
20 circumstances, what do you do?

21 You're locked up in a room, to be
22 honest, not much bigger than this one at
23 all, with six girls, 24 hours a day.

24 Q Well, you're not blaming anyone other
25 than yourself for being locked up in jail,

1 are you?

2 A Oh, absolutely not, no. I'm saying
3 under the conditions -- I mean, us girls
4 would try and find ways to amuse ourselves.

5 Q Do you have any personal knowledge of
6 the training that former Corrections Officer
7 Drennen received?

8 A No.

9 Q You don't know whether or not he
10 attended and completed corrections officer
11 training school, do you?

12 A No.

13 Q You don't know whether or not he was
14 also a commissioned law enforcement officer,
15 do you?

16 A No.

17 Q So when you allege in your lawsuit that
18 his training was deficient, that isn't as a
19 result of any knowledge that you personally
20 have, is it?

21 A Correct.

22 Q Now, you make certain allegations
23 against Eric Shay in your lawsuit. Do you
24 know actually what Eric Shay's position was
25 in the Trumbull County detention facility

1 during your incarceration in 2014?

2 A Jail administrator.

3 Q And how do you know that?

4 A Because when there would be notices put
5 up throughout the jail with his name, it
6 would say underneath "Jail administrator."

7 Q Do you know what his responsibility
8 was, if any, for the supervision of former
9 Corrections Officer Drennen?

10 A I can only assume that he oversaw --
11 okay, no.

12 Q I'm not asking you to assume. I want
13 to know what you know, not what you think or
14 what you're assuming, okay?

15 A Okay.

16 Q During the events which you described
17 occurring over a two-month period, the four
18 or five events that we've already talked
19 about, do you know whether or not Eric Shay
20 was actually on duty any of those nights?

21 A No, I do not.

22 Q Do you know who the officer in charge
23 of the shift was any of those nights?

24 A No.

25 Q And you didn't ask to speak to the

1 officer in charge of the shift on any of
2 those occasions when Ms. Sherman engaged in
3 the conduct that you've described in
4 response to my earlier questions, correct?

5 A No.

6 Q Does correct mean yes?

7 A Oh, I'm sorry. Yes, correct.

8 Q Okay. Thank you. You claim in
9 paragraph 24 of the lawsuit that you filed
10 that Mr. Drennen would employ bribery to
11 entice female inmates to perform for him and
12 that he conducted illegal strip searches of
13 Ms. Sherman and others.

14 Thus far, all you have described for
15 me, and I don't mean to minimize it. Please
16 don't read into my question.

17 A Sure.

18 Q But thus far all you have described for
19 me are four or five occasions when Ms.
20 Sherman either exposed her breasts on three
21 or four of those occasions or masturbated on
22 one of those occasions.

23 Is it your testimony that other female
24 inmates engaged in similar conduct at Mr.
25 Drennen's request?

1 A Yes.

2 Q Who?

3 A Jessica Friend. When I was in C Pod --
4 prior to my being housed with Katie, I was
5 initially put in C Pod. At the time, they
6 were overcrowded and I was housed on the
7 floor in bunks and there was a number of us
8 girls who were housed there in bunks.

9 I wasn't feeling well at the time, so I
10 wasn't doing much sleeping, and Jessica
11 Friend's bunk was just about two down from
12 mine and it was the exact same -- exact same
13 behavior that I was about to see happen with
14 Katie in Trustee Pod.

15 Officer Drennen would frequently make
16 it a point to stop and -- stop by Jessica
17 Friend's bunk on the floor and make
18 conversation with her. When he would --
19 when she could see that he was there for
20 rounds, she would go and take off her bra
21 and her panties and put on these really thin
22 see-through thermal outfits, or she would do
23 the same thing, roll her shorts all the way
24 up and put on really tight shirts, no bra,
25 and that, and she would sit there at her

1 bunk and flirt with him or, you know, walk
2 back and forth to the bathroom so that you
3 could just see her bouncing all over the
4 place.

5 And at one point in time, Jessica was
6 released and it was only for a couple of
7 days, three or four days maybe, before she
8 was brought back in.

9 Now, when she came back in, she started
10 telling me how during the few days that she
11 was home, and this is just what she told me,
12 I will say this. I do not know what type of
13 vehicle Officer Drennen drives or did drive
14 at the time, or anything that she told me,
15 but she told me that during the few days she
16 was home, he would drive by her home in his
17 white truck numerous times a day and that he
18 had even gone so far as to calling her at
19 her home, and at one point during a phone
20 conversation to her at her home, he
21 questioned her as to whose cars were in the
22 driveway because he had noticed that there
23 was a car there that he didn't usually see
24 there.

25 It was at the same time, I'll note,

1 that Jessica wasn't receiving any money from
2 her family or anyone, and then one day
3 received a money order and she had made
4 mention to us when she received the money
5 order, "Oh, my gosh, who is this from?"
6 There was no name or anything on it.

7 She was, like, "I wonder who this could
8 be from," and then when Officer Drennen had
9 worked next, he came and stopped by her
10 bunk, which I heard because I was right by
11 her, he stopped and was, like, "Oh," I see
12 you got some money on your books. Isn't
13 that really great," which you could tell by
14 the way he was speaking to her he was
15 alluding to the fact that he had sent the
16 money.

17 These are things that I, myself, heard
18 and witnessed prior to my ever being housed
19 with Katie.

20 Now, at one point, I will say, and I
21 believe in the statement, that I heard CO
22 Drennen make -- I believe that this is what
23 he was referring to at one point.

24 At one point, Jessica Friend got moved
25 over into Trustee Pod where Katie and I

1 were, and for a short time, you could tell,
2 and Katie can better explain it, I'm sure,
3 you could cut the tension in the pod with a
4 knife because now you have two girls who
5 were previously held in separate pods who
6 he's engaging in this behavior with are now
7 housed together, and so it created just a
8 very tense, uncomfortable environment, and
9 in CO Drennen's statement, which I will say
10 the way he stated it is incorrect.

11 He said that -- I want to say it
12 correctly. I wish I had a transcript. He
13 says, "The girls said that I should thank
14 them for smoothing things over for me," and
15 I believe what he's referring to is Katie
16 and Jessica being housed together, and
17 although it was nothing that I said, there
18 was a point in time that one of the other
19 inmates in the pod had made mention to
20 Corrections Officer Drennen, "Boy, what are
21 you going to do now? This sure is
22 uncomfortable. You have your two favorite
23 girls in here together."

24 Q Did you report the conduct between
25 Jessica Friend and Officer Drennen to any

1 member of the Trumbull County
2 administration?

3 A No, I did not.

4 Q Did you report the conduct between
5 former Corrections Officer Drennen and Ms.
6 Friend to any other ranking corrections
7 officer at all?

8 A No.

9 Q Are you aware that Ms. Friend denies
10 the allegations you make?

11 A Yes.

12 Q And you don't have any personal
13 knowledge of who put money on her books, do
14 you?

15 A No, I do not. I only know what I
16 heard.

17 Q Well, you know what you assume from
18 what you heard, correct?

19 A I mean, what he said and his body
20 language. I mean, if I say something to you
21 how I am now, it'd be hard to decipher, but
22 when someone is making body motions and
23 facial expressions in a way that is alluding
24 to the fact that there is more to what
25 they're saying -- I mean, he didn't have to

1 come right out and say that he sent it.

2 If you would have been there to see the
3 way he approached her, and secondly, there
4 is no reason for him to have had knowledge
5 that she received a money order unless he
6 was the officer who was handing them out the
7 night that we received it -- which she
8 received it, which he, in fact, was not.

9 So one of two things had to have
10 happened, either he was looking into her
11 personal file unnecessarily, or he sent the
12 money order, which he alluded to, in my
13 opinion.

14 Q Did you actually hear former
15 Corrections Officer Drennen say that he had
16 put money on her commissary account?

17 A No. I heard him say he knew that money
18 had been placed on her account and he
19 alluded to the fact that it was himself that
20 sent it.

21 Q Well, "alluded to," that was your
22 interpretation of what you heard?

23 A Absolutely it was.

24 Q Are you aware that on May 7th, Major
25 Stewart questioned Jessica Friend while she

1 was at NEOCAP and she completely denied all
2 of your accusations that were made about
3 herself and stated that he never sent her a
4 money order for her books and never harassed
5 her while he was working with the Vienna
6 Police Department?

7 A Yes.

8 Q Are you aware that according to Jessica
9 Friend, she told Major Stewart that the
10 blank money order with no name came from a
11 source that goes by the name of Joe and he
12 didn't want his name on record as giving her
13 money?

14 A Yes, I am aware of that.

15 Q And you're aware that this interview
16 was -- well, you may or may not be aware
17 that this interview was audiotaped?

18 A Yes.

19 Q Okay. So, in any event, this
20 relationship, if you will -- well, strike
21 that.

22 This conduct which you claim to have
23 occurred between Jessica Friend and former
24 Corrections Officer Drennen was denied by
25 her, wasn't it?

1 A Correct.

2 Q Thank you. Did you at any time ask
3 former Corrections Officer Drennen for
4 cigarettes and a lighter?

5 A No, I did not.

6 Q So you claim that his report -- well,
7 strike that.

8 Were you in the presence of Tania
9 Cordwell when she asked Corrections Officer
10 Drennen for cigarettes and a lighter during
11 razors in order to be quiet about what you
12 and she claimed to be his conduct involving
13 Katie Sherman?

14 MS. KOVOOR: Objection.

15 Vague. I'm not understanding what
16 you're asking. I don't know how she
17 could.

18 MR. RASKIN: Well, I guess
19 if you don't understand it --

20 BY MR. RASKIN:

21 Q Did you understand it?

22 A I think I can make this real clear for
23 you.

24 Q No, no, don't make it real clear. I'll
25 rephrase the question. If it was that bad a

1 question, I apologize.

2 You're aware that on May 4th,
3 Corrections Officer Drennen wrote an
4 incident report?

5 A Yes.

6 Q And you're aware that the subject of
7 that incident report was that he claimed
8 that you and Ms. Cordwell had done him a
9 favor by controlling the other girls in the
10 pod who were jealous of his relationship
11 with Katie Sherman, and in return for your
12 silence and the control that you had
13 exerted, you were asking him for cigarettes
14 and a lighter during razors?

15 A It is correct that I understand that
16 that is what he said, yes.

17 Q Okay. Do you deny that either you or
18 Ms. Cordwell said that to former Corrections
19 Officer Drennen?

20 A That is not a correct statement.

21 Q So let me read the statement to you now
22 that I can get my hands on it, and I want
23 you to tell me if any of it is true.

24 A Sure.

25 Q And if yes, what is true, and

1 otherwise, what isn't.

2 A Okay.

3 Q It says that on 5/4/2014 at 2:30 a.m.,
4 this reporting officer, Drennen, had just
5 finished a full watch tour while working
6 Tower 3 and was on my way to 3T 101 door to
7 exit when inmates Michele Rafferty and Tania
8 Cordwell stopped me and asked, quote, "'so
9 how's your girlfriend doing," unquote.

10 I then replied, "What are you talking
11 about?"

12 Rafferty said, quote, "Katie." Again I
13 said, "Katie who, and again, what are you
14 talking about?"

15 Rafferty said "Katie Sherman. She
16 really liked you."

17 I replied, "You're out of your F'ing
18 mind and you couldn't pay me to date an
19 inmate."

20 They then said, quote, "There were
21 girls in the pod that got really jealous
22 when Katie would talk about you all the
23 time, but me and Tania smoothed it over for
24 you and all we're asking is during razors or
25 sometime you could drop us some cigarettes

1 and a lighter because we helped you out on
2 this and that's the least you can do."

3 At this time, this reporting officer
4 became very irate and stated "That's never
5 going to happen."

6 They replied "If you don't do this, we
7 could get everybody to say you were making
8 girls strip or trying to get them to have
9 sex with you again."

10 This reporting officer replied, "Never
11 F'ing going to happen" and this reporting
12 officer exited the pod.

13 This reporting officer told CO O'Brien
14 and while she had the intercom on, she could
15 not hear anything. I also told CO Green
16 while the two officers, Green and O'Brien,
17 were on the pod phone.

18 This reporting officer then contacted
19 Sergeant Tomko, met him downstairs where I
20 explained the incident to him and Sergeant
21 Tomko instructed this reporting officer to
22 make this incident report.

23 That is the totality, and I apologize
24 for the length of reading it to you, but it
25 is my assumption, you correct me if I'm

1 wrong, that you've seen this before today?

2 A Yes, I have seen that.

3 Q All right. So did you and Ms. Cordwell
4 say anything to former Corrections Officer
5 Drennen that he described in his incident
6 report or summary report of May 4th?

7 A No, none of that report is accurate.

8 Q The whole thing is untrue?

9 A The entire thing is inaccurate. What
10 happened was when -- initially, and I'll say
11 this, initially they did first round head
12 count, which is not done by the officers who
13 are working the floor that evening. They're
14 done by what they call usually your roving
15 officers.

16 So head count was done for the evening,
17 and that's usually done at 11:00 or 11:30.
18 During CO Drennen's first round, the girls
19 in the pod -- I mean, we had all discussed
20 this, that not just myself was fed up with
21 seeing what was going on, but so were the
22 other girls, and we decided, you know, a
23 little solidarity in numbers, when he came
24 through, we decided we're just going to stop
25 him, we're going to let him know, like,

1 please, the next young girl that comes in
2 here, we just don't want to see this go on
3 anymore from here on out, please.

4 So when he did his first round that
5 night, us girls were all awake and we tried
6 stopping him, saying, you know, "Drennen,
7 can we talk to you for a second, something
8 we want to talk to you about," and CO
9 Drennen, by the look on his face, looked
10 uncomfortable and brushed us off and left
11 his round.

12 So, I mean, it started to get late in
13 the evening, obviously, so some of the girls
14 had fallen asleep and Tania and I were still
15 awake.

16 So when Mr. Drennen came through for
17 his next round, which was later, early in
18 the morning, I had stopped him as he was
19 doing his tour and I said to him, I said,
20 "Look," I said, "this stuff that had been
21 going on with Katie," I said, "we just don't
22 want to see that happen anymore."

23 That was it. It was a simple request.
24 It was saying Hey, we don't like what's been
25 going on. Can it please just stop?

1 I mean, it could have been so simple.
2 It could have been an "I am sorry" and just
3 -- it could have just not happened anymore,
4 but after that simple request was when he
5 turned around and, like, squared up, looking
6 me directly in my face and proceeds to tell
7 me, as I said earlier, that if I didn't want
8 the rest of my stay there to be an
9 uncomfortable one, that I -- I should say
10 this better.

11 We said that I really wanted the
12 behavior to stop and that if it didn't stop,
13 I was going to have to report it was what I
14 had said to him.

15 At that time was when he had told me
16 that I wasn't going to report it to anybody
17 because if I didn't want the rest of my stay
18 there to be an uncomfortable one, that I
19 wouldn't say anything at all.

20 Now, I will say that Tania Cordwell
21 piped up as he was exiting and called him
22 some expletive name and said something to
23 the effect of -- called him, excuse my
24 language, but called him an asshole and said
25 that the least he could have done was tossed

1 us and "here's some cigarettes," or
2 something, for making us bear witness to his
3 behavior is what she had said.

4 I had nothing to do with what she
5 said. I mean, I wouldn't have called him an
6 asshole either to his face like that in that
7 type of position, but that's what was said
8 and that's the truth of the matter.

9 Q You claim that Sheriff Altiere and/or
10 Lieutenant Shay knew or should have known of
11 Drennen's pattern of sexual misconduct and
12 exploitation of female inmates. How is it
13 that they should have known that?

14 A I was in there at this time for a very
15 short period of time, and in that short
16 period of time, I got to not only witness in
17 not just one female housing area, but two
18 female housing areas, just myself in that
19 short time, the type of behavior and the way
20 he acted toward female inmates, and in
21 addition to that, when I moved to the only
22 other girls' housing area, there were female
23 inmates who talked about how he would engage
24 in the exact, and when I say "exact," I mean
25 exact type of behavior with females in that

1 housing pod, and if I had only been there
2 two months and had seen everything that I
3 had seen and heard everything that I had
4 heard, I find it very hard to believe that
5 he had worked there for any length of period
6 of time and his co-workers and supervisors
7 not be privy to what was going on.

8 Q Of your own knowledge, you don't know
9 that anyone, inmate or otherwise, ever
10 reported to jail administration that CO
11 Drennen was engaging in any inappropriate
12 acts towards female prisoners, do you?

13 A You're asking if I knew that jail staff
14 knew?

15 Q Let me ask it again.

16 A Okay. Sorry.

17 Q Of your own knowledge, you don't know
18 that anyone ever reported to jail
19 administration that CO Drennen was engaging
20 in inappropriate acts towards female
21 prisoners, do you?

22 A No, I do not.

23 Q Thank you. And to be clear, since you
24 have sued Sheriff Altieri and Lieutenant
25 Shay, let me ask that question slightly

1 differently.

2 A Okay.

3 Q You don't know of your own knowledge
4 that anyone ever reported to Sheriff Altieri
5 that CO Drennen was engaging in improper or
6 inappropriate conduct towards female
7 prisoners, do you?

8 A No.

9 Q You don't know of your own knowledge
10 that anyone ever reported to Lieutenant Shay
11 that CO Drennen was engaging in
12 inappropriate conduct towards female
13 prisoners, do you?

14 A No.

15 Q Thank you.

16 A Can I add in something here? I know
17 you haven't asked me a question about this,
18 but I feel like it's pretty important that I
19 add it in. Is that okay? I'm sorry.
20 Because I feel like a lot of your questions
21 have to do about the reporting of these
22 types of instances and I feel this is really
23 important.

24 When I -- I told you that I feel the
25 kiting system could use a little

1 improvement, to say the least, but my
2 experience in the Trumbull County Jail with
3 policy and procedure when it comes to
4 reporting instances like this and my
5 experience when I was in Marysville with how
6 we are educated and the available options
7 for reporting these types of incidents were
8 just polar opposites.

9 At Marysville, we watched a video, we
10 were educated on how -- what constituted
11 PREA, how we could report it safely, how we
12 could report it anonymously with it getting
13 to the right people, eliminating the fears
14 that I had about reporting it through a kite
15 system.

16 At no point when I was in Trumbull
17 County Jail was I given a handbook, was I
18 educated on the point of if something like
19 this were to happen, this is how you can
20 safely report it, this is who you can safely
21 report it to, and this is what you can
22 expect to happen after you report it. None
23 of that was made available.

24 None of that -- we weren't educated on
25 any of that. None of those options were

1 available to me. Believe me when I tell
2 you, if the type of options and education
3 was available to me that I received at
4 Marysville when I was in Trumbull County,
5 reporting what was going on would have been
6 no problem at all. It would have been a
7 safe environment and you would have felt
8 secure about it.

9 What they offered as a means to file a
10 complaint, it wasn't safe, it wasn't
11 secure.

12 Look, I told something that happened to
13 the jail administrator and sergeants, and by
14 the next afternoon, every lower level CO
15 working the shift knew what was going on.

16 I mean, that's a failure in a system.
17 I'm sorry, it is. That didn't create a safe
18 environment for myself at all. So I'm
19 sorry, I just had to say that.

20 Q Quite all right. Have you completed
21 your --

22 A Yes, I'm done.

23 Q Okay. Were you ever strip-searched by
24 CO Drennen?

25 A No, I was not.

1 Q Did you ever see any female inmate who
2 was strip-searched by CO Drennen?

3 A I saw Katie take off her clothes at his
4 request.

5 Q Did you see Katie Sherman
6 strip-searched by CO Drennen?

7 A I saw Katie take off articles of
8 clothing when CO Drennen asked her to, yes.

9 Q Do you know what a strip search is?

10 A A strip search would be any type of
11 officer asking you to remove your clothing.

12 Q I see. So utilizing that definition,
13 you believe that you saw Katie Sherman
14 strip-searched?

15 A Yes.

16 Q You were not strip-searched?

17 A No, I was not.

18 Q Do you claim that you saw any other
19 female inmate strip-searched by CO Drennen
20 or any other corrections officer in the
21 Trumbull County detention facility?

22 A No.

23 Q Now, you claim that Ms. Sherman took
24 off her clothes at Drennen's request. Did
25 you actually hear at any time Corrections

1 Officer Drennen say to Ms. Sherman, "Take
2 off your top?"

3 A Yes. They would talk -- I told you
4 occasionally they would talk in their codes
5 about the broom, and things like that, and
6 at other times when he would be standing by
7 Katie's bed and Katie would have on, you
8 know, a tight shirt or be, like, rubbing her
9 breasts, and that, he would ask her, like,
10 "Well, are you going to show me some more?
11 Come on, show me some more," and say things
12 to her, like, you know, "Why don't you just
13 lift that shirt up," things of that nature,
14 requesting her to expose herself.

15 Q So you actually heard CO Drennen --

16 A Yes.

17 Q -- ask Ms. Sherman to expose her
18 breasts so he could see them?

19 A Yes. She was right next to me.

20 Q Okay. I just want to understand what
21 you heard as opposed to this so-called code.

22 I want to understand, and again, I'm
23 not trying to denigrate any of your
24 responses. I just want to understand what
25 was said in plain English.

1 You claim that the staffing at the
2 Trumbull County detention facility was such
3 that Sheriff Altieri and/or Lieutenant Shay
4 could have staffed the female pods with all
5 female corrections officers?

6 A Yes.

7 Q Do you know how many female corrections
8 officers were employed by the Trumbull
9 County Sheriff's Department in 2014 during
10 your incarceration?

11 A No, I do not know the exact number.

12 Q You were on the third floor --

13 A That's correct.

14 Q -- when these events occurred?

15 A Correct.

16 Q Do you know what other pods are located
17 on the third floor?

18 A The third floor is three female housing
19 units and one male all lockdown unit, and
20 because it is an all male lockdown unit,
21 both male and female officers can work that
22 pod.

23 Q It's true, is it not, that there is a
24 female lockdown unit on the third floor?

25 A They use C Pod, which is a regular pod,

1 as their lockdown pod. Pretty much the
2 entire pod itself is not locked down.
3 However, they have certain cells that they
4 will lock down that they use for people who
5 are on punishment, I should say, or mental
6 health reasons.

7 Q As a matter of fact, that's where
8 suicide watch is, isn't it, on the third
9 floor?

10 A Yes, it is.

11 Q And suicide watch can house both male
12 and female inmates on suicide watch?

13 A No, that is incorrect. These are the
14 female pods on the floor: There is B Pod,
15 the largest pod, then there is C Pod, which
16 was the first pod I was housed in.

17 That is the pod that you are referring
18 to that they will put girls on suicide watch
19 for mental health reasons and also
20 disciplinary reasons.

21 Q That's on the third floor?

22 A That's correct. There is also on the
23 third floor a two-person pod, a -- I think
24 it's a four-person pod and Trustee Pod. The
25 only male pod on the third floor is the male

1 only lockdown, and those gentlemen are on
2 lockdown all day long except for the bit of
3 rec time they have and to be showered.

4 The only time it is necessary in that
5 particular male pod for a male officer to be
6 present is during shower time. Other than
7 shower times, which only happen three times
8 a week and you get 15 minutes allowed for
9 those showers, at any other time of the day,
10 a female officer can and often does work the
11 rounds on that pod.

12 So out of necessity, the only time you
13 would necessitate a male officer on that
14 floor would be when the gentlemen need
15 showered.

16 Q And you're using gentlemen in a very
17 broad sense of the term?

18 A Yes.

19 Q Nonetheless, you don't have any
20 training in penal or corrections programs,
21 do you?

22 A No, I do not.

23 Q So that answer to my question that I
24 just asked was based upon your experience as
25 an inmate?

1 A Yes.

2 Q Thank you. You claim at paragraph 38
3 that jail administration turned a, quote,
4 "blind eye to sexual assaults and strip
5 searches." Are you testifying that -- is
6 that your claim?

7 A Yes.

8 Q I see. So tell me what facts you're
9 aware of that Lieutenant Shay knew of sexual
10 assaults or strip searches which he did not
11 investigate or cause to have investigated?

12 A To my knowledge, the only thing I know
13 is that CO Drennen told me that his
14 administrators had, in fact, investigated
15 him for the exact behavior I was asking him
16 to stop doing and that nothing had happened
17 to him.

18 So do I know of any particular
19 instances myself? No, only of what CO
20 Drennen told me.

21 Q And if I ask you the same question
22 about Sheriff Altieri, tell me what facts
23 you're aware of that Sheriff Altieri turned
24 a quote/unquote, "blind eye to sexual
25 assaults or strip searches," are you going

1 to give me the same answer?

2 A Yes.

3 Q Only what Drennen told you?

4 A Yes.

5 Q So of your on knowledge, you have no
6 facts to share with me that either Sheriff
7 Altieri or Lieutenant Shay ever turned a
8 blind eye or failed to investigate
9 inappropriate strip searches or sexual
10 assaults in the Trumbull County detention
11 facility, correct?

12 A Yes.

13 MR. RASKIN: I think I am
14 done.

15 MS. KOVOOR: We're not
16 going to waive signature.

17 MR. RASKIN: Well, wait a
18 minute. You have another lawyer
19 here.

20 MS. KOVOOR: I'm so
21 sorry.

22 MR. RASKIN: Now, the
23 question is it's now five minutes to
24 1:00. How much time --

25 MS. JARMUSZ: I mean, I

1 don't mean to be overly repetitive.

2 I would say 30 minutes at the most.

3 MR. RASKIN: It's up to
4 you all what you want to do.

5 THE WITNESS: Yeah, I'm
6 fine with that.

7 MS. JARMUSZ: You want to
8 just go ahead?

9 THE WITNESS: Yep.

10 MS. WILSON: I think we
11 need a restroom break.

12 - - -

13 (Short recess taken)

14 - - -

15 CROSS-EXAMINATION OF MICHELE L. RAFFERTY

16 BY MS. JARMUSZ:

17 Q Ms. Rafferty, I'm Angel Jarmusz. I'm
18 technically representing Mr. Drennen, so I'm
19 going to try not to go over things that you
20 already talked about with Mr. Raskin, but I
21 need to focus a little bit more on, you
22 know, the specifics of your interactions
23 with Mr. Drennen.

24 The same general ground rules you had
25 with Mr. Raskin in his questioning, the same

1 general ground rules apply. If something I
2 ask you doesn't make sense, just ask me to
3 repeat it and I'll try to clarify.

4 A Okay.

5 Q But during your previous stay at
6 Trumbull County Jail, not in 2014, but the
7 previous stay, did you say that was 2009?

8 A Yes.

9 Q Okay. You noted that you were
10 uncomfortable with Mr. Drennen's conduct.
11 Can you give a little bit more description
12 as to what made him uncomfortable during
13 that stay?

14 A Sure. What made me feel uncomfortable,
15 I kind of talked about it a little bit, as
16 opposed to just quickly glancing around my
17 cell like the other COs would do, he would
18 make it a point to -- well, I can get up to
19 do this.

20 Usually when they walk past your cell,
21 they're going this direction, they look it
22 and keep going.

23 Mr. Drennen would square up to the door
24 so that his whole body was covering the
25 front window that looks into your cell, and

1 rather than looking around my cell, he would
2 glare directly at me and not just glare at
3 my face, but glare up and down at me, and
4 whereas most people would just pass by, he
5 would make it a point to stop and leer at
6 you, which is what would make me
7 uncomfortable.

8 But like I said, at that time, it was
9 something simple where I would just either
10 just keep myself covered up with my blanket
11 if I saw that he was the one doing rounds or
12 I would just throw my uniform quickly back
13 on until he was done and then get into bed.

14 I just didn't put myself in a position
15 to be underclothed while he was doing rounds
16 because at that time, the unit I was housed
17 in, he worked, like I said, midnight turn.

18 We were all locked down individually in
19 our cells at that time, so I didn't have any
20 outward exposure to him like I did when I
21 was in C Pod on the floor or when I was in
22 Trustee Pod. So my contact with him during
23 that stay was really limited.

24 Q And just for purposes of the record,
25 because it couldn't pick up your

1 demonstration as to how Mr. Drennen looked
2 into your cell versus other corrections
3 officers, you're saying it was typical for
4 corrections officers to spend less time at
5 the window and almost looking over their
6 shoulder perhaps?

7 A Yes.

8 Q And Mr. Drennen stood square to the
9 window and lingered longer?

10 A Yes.

11 Q Okay. Did you ever personally witness
12 Mr. Drennen masturbate during that stay?

13 A No.

14 Q Did you ever witness Mr. Drennen
15 purposefully look at another inmate who was
16 unclothed?

17 A No, because at that time, like I said,
18 because we were all locked down at the same
19 time, I wasn't able to see what he did at
20 anyone else's cell doors other than my own.

21 Q And so you also did not witness Mr.
22 Drennen request any inmate to expose
23 themselves to him at that time?

24 A No.

25 Q Okay. So during your subsequent stay

1 in Trumbull County in 2014, did you
2 personally witness Mr. Drennen masturbate at
3 all?

4 A No. He would talk about himself, he
5 would talk about himself getting erections,
6 he would talk about how his pants felt,
7 things of that nature, but I never witnessed
8 him touching himself.

9 Q Did you ever personally witness Mr.
10 Drennen touch another inmate?

11 A No, not touch them.

12 Q But you did witness Mr. Drennen look at
13 an exposed inmate or an inmate who was
14 unclothed?

15 A Yes. Not just look at them, but
16 request that she expose herself and asking
17 her to touch herself, things of that nature.
18 I never witnessed him physically touch her,
19 though.

20 Q And it was one specific inmate that you
21 personally witnessed exposed?

22 A Yes.

23 Q Okay. And that was Ms. Sherman?

24 A Yes.

25 Q Can you approximate dates at which Ms.

1 Sherman allegedly exposed herself to Mr.
2 Drennen?

3 A No, I really couldn't. It just
4 wouldn't be fair for me to try and guess.

5 Q No, that's fine. Did Ms. Sherman ever
6 personally tell you that she wished Mr.
7 Drennen would stop looking at her?

8 A I -- and I'm sure Katie can talk about
9 this, too. There were points in time when
10 this was going on that myself and, you know,
11 other girls in the pod would pull Katie
12 aside and say to her, like, "Why are you
13 doing this? Why are you engaging with him
14 like that?"

15 And Katie would say how, you know, one,
16 it made her feel kind of special that he was
17 giving her this attention and, secondly,
18 that because she had heard that he gave
19 other girls special types of treatment for
20 doing and acting these ways, like that she
21 thought that she was going to, you know, get
22 something out of this situation with him.

23 And, I mean, we tried talking with
24 Katie. Like I said earlier, I'm really fond
25 of Katie. I look at her like a little

1 sister. We spent a lot of time in there
2 together, and my heart at the time just went
3 out for her, you know.

4 As somebody who's been in a position
5 where somebody takes authority over you, I
6 know what a scary position that can be in,
7 and I know what -- I just felt -- like I
8 just wanted to reach in and grab her and
9 help her. I just wanted to tell her, like,
10 it shouldn't be this way and it doesn't have
11 to be this way.

12 I mean, I think -- I don't even know
13 how to say it, how I want to say it the
14 right way.

15 I tried talking to Katie about not
16 acting that way with him, and she expressed
17 to me that she didn't know how to stop or
18 how to end the type of communication, almost
19 as though because the ball had already
20 started rolling, she didn't how to make it
21 stop at that point, and then I knew she was
22 going to be leaving soon, and I think Katie
23 can tell you better, but I'm sure probably
24 part of her thought was that she was just
25 going to be leaving soon and maybe that's

1 just when it would end.

2 Q Did you ever witness Mr. Drennen order
3 Ms. Sherman to expose herself or threaten
4 Ms. Sherman with discipline if she did not
5 expose herself?

6 A I didn't hear him threaten her with any
7 discipline, but on plenty of occasions, I
8 heard him ask her to either expose herself
9 or touch herself or write him notes, and I
10 will say that the notes that she would write
11 would be flirtatious and sexual type notes.

12 Q Did Mr. Drennen or any other
13 corrections officers order you to watch Ms.
14 Sherman as she was exposed?

15 A No, nobody ever ordered, but like I
16 said, my bunk in relation to her bunk,
17 they're right next to one another, and so
18 even if I turned my head to not see what's
19 going on, I'm still hearing everything
20 that's going on, so there wasn't -- there
21 wasn't any way not to be a part of what was
22 going on.

23 Q Do you remember Ms. Sherman ever
24 opposing Mr. Drennen's requests to see her
25 unclothed?

1 A No.

2 Q Did Mr. Drennen ever comment on your
3 appearance?

4 A No. I will say this for the record,
5 that other than when I had asked Mr. Drennen
6 to stop, he and I had absolutely no
7 conversation.

8 If I needed something from a
9 corrections officer, I would ask whoever
10 else may have been on duty with him or
11 another shift. I never engaged in any
12 conversation at all with Mr. Drennen.

13 Like I said earlier, he'd already gave
14 me just a bad feeling from my prior
15 experience, and then seeing from C Pod and
16 then into Trustee Pod, I found no reason to
17 engage in any type of contact with him
18 whatsoever.

19 Q Did Ms. Friend ever come to you and
20 explain to you that she wished Mr. Drennen
21 would stop giving her this extra attention?

22 A She complained to me when she came back
23 in, after being gone for a couple of days,
24 that she thought it was really uncomfortable
25 that he had called her house, that she was

1 really uncomfortable that she had seen him
2 driving by her house numerous times, and
3 that sort of thing, and she said that it was
4 -- to her, it was awkward when he was coming
5 through for his rounds now that he had done
6 those things.

7 Q Did you ever wonder why Mr. Drennen
8 never commented on your appearance or
9 complimented you?

10 A I didn't wonder that. I never gave him
11 an opportunity to engage in any type of
12 conversation with me. I never requested
13 anything from him, and as I said earlier, I
14 did those types of things on purpose. He
15 just sat wrong with me and I found no reason
16 to try and engage with him in any way.

17 Q So you were never jealous by any of the
18 attention Mr. Drennen gave either Ms.
19 Sherman or Ms. Friend?

20 A Absolutely not.

21 Q How exactly did Mr. Drennen personally
22 injure you between February and May of 2014?

23 A I feel like taking it upon yourself to
24 force other people into listening and
25 watching what you're requesting from someone

1 else for yourself is wrong.

2 I mean, I think it was wrong that he
3 was asking these things of Katie, but I duly
4 think it was wrong to force all of the rest
5 of us to be a part of that. There was no
6 getting away from it.

7 Like I said, the room was probably
8 maybe just a tad bit bigger than the room
9 that we're in now. So if I am in this
10 corner having a conversation, no matter how
11 low I may be talking, you're going to hear
12 in that corner, so I felt like he forced all
13 of us to be a part of what he was doing,
14 whether he saw it that way or not.

15 Q Did you seek treatment, whether through
16 mental health providers or a physician, for
17 the injuries that were caused by Mr.
18 Drennen?

19 A Yes. I re-engaged in counseling and
20 then when I was still in Trumbull County
21 Jail, I had filled out a request form to see
22 their liaison from the Coleman agency to
23 talk with him about this specifically and,
24 you know, how I was feeling about all of it.

25 Q If I remember correctly, you had said

1 earlier that you requested to speak with --
2 was it Rick from Coleman?

3 A Yes.

4 Q After you had already spoken with
5 Lieutenant Shay --

6 A That's correct.

7 Q -- about the incident?

8 A Mm-hmm, because at that time, after I
9 made Eric Shay aware of what was going on,
10 like I said, nobody had offered that type of
11 assistance to me. Eric didn't say, "Look,
12 we have this liaison from Coleman. If you
13 feel like this is something you need to talk
14 about with somebody, we can provide you with
15 that help, we can provide you with that
16 support."

17 None of that was ever offered to me.
18 I had to take it upon myself after the fact,
19 fill out a request form, then wait for that
20 to go where it needed to go and for Rick to
21 be able to come in and speak with me.

22 So if I had not taken it upon myself to
23 ask for that, the jail administration wasn't
24 doing anything to offer me those types of
25 services there.

1 Q How come you hadn't requested those
2 services before May 4th or May 5th?

3 A I guess -- well, not I guess. Because
4 Coleman is a liaison for mental health.
5 They are not who you would go to to report
6 that type of activity.

7 He works for a mental health agency.
8 They don't -- he doesn't necessarily work
9 for the jail. He's not a supervisor over
10 the employees. I just don't think it would
11 be a correct route of reporting something
12 like that.

13 Q Can you explain your friendship with
14 Ms. Cordwell while you were incarcerated in
15 Trumbull County?

16 A Sure. She wasn't there very long. She
17 was only there for a short time that we were
18 housed together, maybe just a couple of
19 weeks, because shortly after the incident
20 was reported, they went ahead and split all
21 of us girls up into different pods. They no
22 longer housed us together any longer.

23 So myself, I got moved into B Pod,
24 Tania, I believe, either stayed in that pod
25 or got moved to C Pod. So, I mean, she was

1 from West Virginia, we had none of the same
2 friends. I mean, just girl talk like Katie
3 and I would throughout the evening, so I
4 didn't know her well at all.

5 Another girl who was in the pod with
6 us, Jessica Smerdell, I believe she and
7 Tania were there on the same case, they were
8 in the same car together when they got
9 pulled together, so they probably know more
10 about one another than what I could offer.

11 Q At any time before you and Ms. Cordwell
12 approached or confronted Mr. Drennen, did
13 Ms. Cordwell complain to you about Mr.
14 Drennen?

15 A Yes, she did. When Tania first came
16 into our pod and saw what was going on with
17 Katie and CO Drennen, she was just
18 disgusted. She was, like, "You got to be
19 kidding me." She was, like, "This was going
20 on where I was housed," which was in B Pod.

21 She said that while she was housed in B
22 Pod, that another girl by the name of
23 Jessica Dean apparently was also favored, I
24 guess, by CO Drennen. She said that Jessica
25 Dean would often be up in her cell ripping

1 up her indigent panties, turning them into
2 thongs, and whatnot, and putting them on for
3 him during his rounds, talking with him.

4 Just more of the same.

5 I mean, just this same behavior, and to
6 see and hear about behavior that is, I mean,
7 just identical in every single room that
8 he's walking through with females, you have
9 to understand where deep down inside your
10 gut, you think somebody has to know that
11 this has been going on.

12 Like if this is happening in the two
13 months that I'm there with a particular girl
14 in every single female housing unit, I mean,
15 one can only assume that this is not the
16 first time it's happening. I just find it
17 hard to believe that nobody's ever noticed
18 this type of behavior with him.

19 Q Why did you and Ms. Cordwell decide to
20 wait four or five days after Ms. Sherman was
21 released before you confronted Mr. Drennen?

22 A Because he hadn't worked. It was the
23 first shift since Katie left that he had
24 worked.

25 And like I said earlier, initially it

1 wasn't myself waiting to say something to
2 him about it. Initially we as an entire pod
3 tried stopping him, to say something to him
4 about it, to ask him to stop the behavior,
5 and at that time, he brushed us off and went
6 out the door to finish his rounds.

7 So some of the other girls had fallen
8 asleep because by that time, it's awfully
9 late by the time he came in to do another
10 round.

11 It was myself and Tania who were still
12 awake at that time, but initially we tried
13 confronting him, you know, as a whole to
14 say, "Look, the empty bed we have now, when
15 it gets filled with another young girl, we
16 just don't want to see this go on anymore."

17 Q Why did you make it a point to wait
18 until Ms. Sherman was already released and
19 gone before bringing this up with Mr.
20 Drennen?

21 A I think because none of us, you know,
22 none of us really wanted to embarrass Katie
23 or involve her in it, to be honest. I mean,
24 I wanted the behavior to stop. I didn't
25 want to embarrass Katie.

1 THE WITNESS: And I still
2 don't, Katie. I just want you to
3 know that.

4 BY MS. JARMUSZ:

5 Q Can you just explain briefly the
6 complaint you made with jail administration
7 about Mr. Drennen's conduct?

8 A Sure.

9 Q For instance, when and where?

10 A Sure. The complaint that I made
11 initially then was to Eric Shay, and that
12 was to him after he had already spoken with
13 and questioned everyone else in the pod.

14 I was put in a separate holding cell
15 while he interviewed all the other girls in
16 the unit. After he was done interviewing
17 all the other girls in the unit, then I was
18 brought back in to speak with him.

19 It was during that time that I
20 expressed to him that CO Drennen was acting
21 in inappropriate ways, and I told him about
22 how CO Drennen had threatened me about, you
23 know, if I was to go and report it, and at
24 that time, Eric Shay told me, because this
25 was the question I posed to Eric Shay, I

1 said, "What I don't understand is," I said,
2 "if CO Drennen is correct in what he said
3 and that you were aware of this as being a
4 possible problem with him," I said, "why
5 would you put him on a floor in a position
6 to work around female inmates," and Eric
7 Shay's reply to me was, "Well, you know,
8 sometimes people like that will just say
9 things to try and intimidate you, not
10 because they're true," and for me at that
11 point, it just kind of -- it felt like he
12 drew a line in the sand with me as though it
13 was turning into an us-versus-them
14 situation, and "us" meaning he, himself, his
15 co-workers, and I felt really uncomfortable,
16 so that's why when I was brought down to
17 Major Stewart's office and asked to give a
18 statement, I told them I preferred to wait
19 and give a statement when I had someone to
20 be there on my behalf, because the
21 conversation that I had with Eric Shay, I
22 felt was -- I felt like my best interest
23 might not be the main concern, and I wanted
24 to have someone there with me who my
25 interest was their main concern, and that's

1 why I didn't continue to talk to any of the
2 jail administration any more than that.

3 Q Just to help me make sense of this all,
4 Lieutenant Shay was not aware of your
5 personal complaint until he had already
6 interviewed other inmates?

7 A That's correct. When Mr. Shay and the
8 other sergeants pulled me into the
9 conference room, they made be aware of CO
10 Drennen's conduct report against me.

11 At that time, I told Eric Shay and the
12 sergeants that that most certainly was false
13 and that what he had wrote in there was not
14 true, but that there were things going on in
15 the pod concerning him that needed to be
16 addressed, and I told them that before they
17 even had to hear what I had to say, that
18 they should ask the other girls what was
19 going on. That's when I was isolated while
20 they spoke to everyone else.

21 Then after that, I was brought back in
22 and that's when I started to tell Eric Shay
23 about my experiences in there with him.

24 Q Between February and May of 2014, did
25 you ever use the telephones --

1 A Yes.

2 Q -- to call family members?

3 A Yes.

4 Q And what would you typically talk
5 about?

6 A I mean, the only people I ever talked
7 to really were my mom, my dad, my daughter
8 and her father, so usually just family
9 stuff, things that were going on.

10 Q Did you ever talk to either of your
11 parents about Mr. Drennen's conduct and how
12 he made you feel?

13 A Yes. My mom and my dad.

14 Q And did you ever ask them to help you
15 out in this situation?

16 A Yes. When I was finished talking with
17 Eric Shay and I was brought back to the pod,
18 I did call home. I told my dad in a very
19 short-handed way what was going on and asked
20 if they could help provide me with somebody
21 so that I could get out a statement of what
22 was really happening in there, like in a
23 safe way.

24 Q So the first time that you told your
25 parents about Mr. Drennen's conduct was

1 after Lieutenant Shay had already pulled you
2 aside to question you?

3 A Correct.

4 Q Switching gears a little bit, I know
5 you had mentioned earlier that you are now
6 employed?

7 A Mm-hmm.

8 Q And you've been working for two months?

9 A Yeah.

10 Q After you were released in -- was it
11 August of 2014?

12 A Mm-hmm.

13 Q What employment did you have between
14 that date and February of 2016?

15 A The only employment I had during that
16 time was when I worked at the tax office.

17 Q Can you approximate how much money you
18 earned in that period of time?

19 A I mean, I'd say probably under \$3000.
20 Maybe even less.

21 MS. JARMUSZ: I have no
22 further questions.

23 THE WITNESS: Okay.

24 MR. RASKIN: You have the
25 right to read this deposition in

1 order to ensure that it's been
2 accurately recorded, or you can
3 waive that right. I think your
4 lawyer was about to tell you before
5 Ms. Jarmusz started that you were
6 going to read it, but you have to
7 say verbally what you want to do.

8 THE WITNESS: Oh,
9 certainly. I would like to read
10 it.

11 - - -

12 (Signature not waived)

13 (Deposition concluded at 1:30 p.m.)

14 - - -

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3 CERTIFICATE
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7 THE STATE OF OHIO,)
8) SS:
9 COUNTY OF CUYAHOGA.)
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I, Angelika P. Shane, a Notary Public within and for the state of Ohio, duly commissioned and qualified, do hereby certify that the within-named witness, MICHELE L. RAFFERTY, was by me first duly sworn to testify to the truth, the whole truth and nothing but the truth in the cause aforesaid; that the testimony then given by the above-referenced witness was by me reduced to stenotype in the presence of said witness; afterwards transcribed, and that the foregoing is a true and correct transcription of the testimony so given by the above referenced witness.

I do further certify that this deposition was taken at the time and place in the foregoing caption specified and was completed without adjournment.

1 I do further certify that I am not a
2 relative, counsel or attorney for either
3 party, or otherwise interested in the
4 event of this action.

5 IN WITNESS WHEREOF, I have hereunto set
6 my hand and affixed my seal of office at
7 Cleveland, Ohio, this 5th day of March,
8 2017.

9
10 
11

12 Angelika P. Shane, Notary Public
13 Within and for the State of Ohio
14 My commission expires 6/21/20
15

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CERTIFICATE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

CASE: Michele L. Rafferty, et al.,
vs.
Trumbull County, Ohio, et al.,

CAUSE NO.: 4:16CV00430

DEPONENT: MICHELE L. RAFFERTY

DATE REPORTED: February 23rd, 2017

DATE SENT FOR SIGNATURE: March 7, 2017

SENT FOR SIGNATURE TO: Michele L. Rafferty
3099 Goleta Avenue
Youngstown, Ohio 44505

I, Angelika P. Shane, the undersigned Notary Public in and for the County of Cuyahoga, do hereby certify that the above-named deponent has failed to subscribe his/her signature to the original deposition transcripts and return same within the allotted 30 day limit under the Federal Civil Rules of Procedure after being notified the deposition is ready for reading and signing, and/or presented to the deponent or his/her attorney for signature.

Therefore, in accordance with the Rules of Procedure, this certificate is submitted. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notary seal this 10th of April, 2017.


NOTARY PUBLIC

My Commission Expires: 06/21/2020

TACKLA & ASSOCIATES
1020 Ohio Savings Plaza
1801 E. 9th Street
Cleveland, OH 44114



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Cleveland, OH 44114



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March 7, 2017

Michele L. Rafferty
3099 Goleta Avenue
Youngstown, Ohio 44505

Re: Deposition of **Michele L. Rafferty**
2/23/2017
Michele L. Rafferty, et al. v. Trumbull County, Ohio, et al.

Dear Ms. Rafferty:

As you will recall, you did not waive your right to read and sign your deposition. A copy of your deposition taken in the above referenced matter is now available in our office for review, weekdays from 8:30 a.m. to 4:00 p.m. Please call our office at 216-241-3918 for an appointment. You will have the opportunity to list any corrections on an errata sheet. You must then sign and date the errata sheet.

In accordance with the Federal Rules of Civil Procedure, you must read the transcript, and sign the errata sheet within 30 days. Should you have any questions, please don't hesitate to call.

Sincerely,

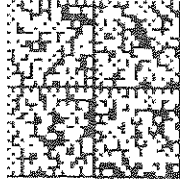
A handwritten signature in cursive script, appearing to read "Angie Shane".

Angie Shane

TACKLA COURT REPORTING, LLC

AS/np

cc: Todd Raskin, Esq.
Sarah Thomas Kovoov, Esq.
Angelica M. Jarmusz, Esq.



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